



## AGENDA

### SPARTA TOWNSHIP COUNCIL REORGANIZATION MEETING

January 5, 2023 @ 6:00 p.m.

#### **I. Meeting Called to Order – Roll Call**

NOTICE: “Adequate notice of this meeting was provided to the public and the press on December 30, 2022 in compliance with the provisions of the Open Public Meetings Act, Chapter 231, P.L. 1975.”

**Time:** The meeting was called to order at 6:00 p.m.

#### **Salute to the Flag**

#### **II. Swearing In of Council Councilman-Elect, Dean Blumetti, Daniel Chiariello, Neill Clark**

#### **III. Reorganization of Sparta Township Council**

- a. Nomination of Mayor
- b. Nomination of Deputy Mayor
- c. Administration of Oath of Office for Mayor and Deputy Mayor

#### **IV. Council Appointments**

- a. Advisory Boards and Committees

##### **1. CULTURAL AFFAIRS SUBCOMMITTEE – ONE YEAR TERM**

#### **Reappointments:**

Glenn Allan, Chairman  
Neil Sauerwein  
Chris Tuthill  
Steve Hespelt  
John Ellis

Stewart Liebman  
Linda Coombs  
Bill Wright  
Helena Holmes



COUNCIL REPRESENTATIVE(S):

Vacancy

2. ENVIRONMENTAL COMMISSION –THREE YEAR TERM- (MAYORAL APPOINTMENT)

Vacancy- Three Year Term for Chair of Environmental Commission

Vacancy- Alternate

COUNCIL REPRESENTATIVE(S):

Vacancy

3. LIBRARY BOARD OF TRUSTEES – STAGGERED FIVE YEAR TERMS

(MAYORAL APPOINTMENT)

**Reappointment - Five Year Term**

Mary Coe

**Mayor/Rep. – ex officio – One Year Term:**

Vacancy

Superintendent of Schools – ex officio – One Year Term

4. MUNICIPAL ALLIANCE COMMITTEE – ONE YEAR TERM

**Reappointments:**

Jeffrey McCarrick  
Matthew Putts  
Dr. Jane Esposito  
Jonathan McMeen

Jennifer Dericks  
Doug Layman



**Appointments: Ex-Officio Members**

Interim Township Manager-Grant Rome  
Superintendent of Schools  
School Board President

**COUNCIL REPRESENTATIVE(S):**

*Vacancy*

5. **PLANNING BOARD – CLASS I, CLASS II and CLASS III MEMBER – ONE YEAR TERM**

***CLASS I – MAYOR or MAYOR’S DESIGNEE***

*Vacancy*

**CLASS II**

Dr. George Parker - Reappointment

**CLASS III – Council**

*Vacancy*

**CLASS IV – 4 Year Term**

Ted Gall- Reappointment

John Kollar – Reappointment

*Vacancy*

**Two Alternate members – Two Year Terms**

Joseph Toscano- Reappointment

Jerry Murphy-Reappointment

6. **RECREATION COMMITTEE – STAGGERED THREE YEAR TERMS**



**Reappointment – 3 Year Term**

Pat Caruso (Schultz)

2 Vacancies

COUNCIL REPRESENTATIVE(S):

Vacancy

7. SENIOR ADVISORY COMMITTEE – STAGGERED TWO YEAR TERMS

**Reappointments:**

Christine Weiss  
Arlene Kayne  
Marianne Dilworth  
Melanie Morter

COUNCIL REPRESENTATIVE(S):

Vacancy

8. ZONING BOARD – FOUR YEAR TERM / ALTERNATES – TWO YEAR TERM

**Reappointments – Four Year Terms**

Dr. George Parker  
Michael Sylvester

**2<sup>nd</sup> Alternates – Two Year Term**

2 Vacancies

9. ECONOMIC DEVELOPMENT COMMITTEE- ONE-YEAR TERM

**Reappointments:**

James Hammond                      Ann Sears



Steve Scro  
Richard T. Miner  
John Finkeldie  
Nicole Francoeur

Cathy Dilger  
Michael Sylvester  
Josh Hertzberg

**1 Vacancy**

**Reappointments Alternates – 1 Year Term**

Joe Toscano  
George Segale

COUNCIL REPRESENTATIVE(S):

**Vacancy**

10. GOVERNMENT LIAISONS

County of Sussex (1) \_\_\_\_\_

(2) \_\_\_\_\_

Board of Education (1) \_\_\_\_\_

(2) \_\_\_\_\_

LMCC (1) \_\_\_\_\_

(2) \_\_\_\_\_

11. TECHNOLOGY COMMITTEE – ONE-YEAR TERM

**Reappointments:**

Dan Chiariello  
Josh Hertzberg  
Joseph Kalyoussef  
Cliff Cernek  
John Incantalupo  
Mike Dempsey  
Mark Cucciniello



Jeffery McCarrick

COUNCIL REPRESENTATIVE(S):

12. SALUTE 07871 COMMITTEE

Reappointments:

Pete Litchfield  
John Finkledie  
Josh Hertzberg  
Vanessa Serrano

COUNCIL REPRESENTATIVE(S):

Vacancy

13. FIRE MARSHAL APPOINTMENTS – APPT. BY MANAGER

Fire Marshal – Thomas McIntyre

Assistant Fire Marshal – Vacancy

14. APPOINTMENT OF EMERGENCY MANAGEMENT COORDINATOR AND DEPUTY COORDINATOR

Emergency Management Coordinator – Jeffery McCarrick

Deputy Emergency Management Coordinator – Thomas McIntyre

15. APPOINTMENT OF SPARTA HEALTH DEPARTMENT LIAISONS

Vacancy

**IV. A. Designation of Advertising Media/Print**



The New Jersey Herald – Daily & Sunday edition  
The Star Ledger  
The Sparta Independent

## **B. Designation of Advertising Media/Electronic**

TAP into Sparta  
The New Jersey Herald

## **V. Designate Township Council Meetings**

Second and Fourth Tuesday each month at 7:00 p.m. – Municipal Building

## **VI. Designation of Legal Depositories**

Valley National Bank  
Provident  
First Hope Bank  
PNC Bank  
State of NJ Cash Management  
Lakeland Bank

## **VII. Open to the Public – Resolutions**

### **VIII. Resolutions**

- A. Percentage of Interest on Delinquent Taxes
- B. Percentage of Interest on Delinquent Water & Sewer Charges
- C. Percentage of Interest on Delinquent Solid Waste Charges
- D. Authorizing Signatures on Township Checks
- E. Authorizing the Continuance of Contractual and Claim Payments
- F. Cash Management Plan
- G. Investment of Idle Funds and Fund Transfers
- H. Professional Service – Banking
- I. Appointment of Joint Insurance Fund Commissioner & Alternate (JIF)
- J. Sussex County Solid Waste Advisory Committee (SWAC)
- K. PAC 208 Water and Wastewater Advisory Committee
- L. Appointment of Certified Recycling Coordinator
- M. Professional Services Resolution – Auditor
- N. Professional Services Resolution – Township Attorney
- O. Professional Services Resolution – Land Use & Redevelopment Consultant/Attorney



- P. Designation of Township Agent for Endorsement of State Applications & Forms
- Q. Designation of Public Agency Compliance Officer (PACO)
- R. Appointment of Health Insurance Fund Commissioner & Alternate (HIF)
- S. Temporary Appropriations for Operating Purposes
- T. Resolution Authorizing the Award of Contract for Professional Services of a Township Prosecutor
- U. Resolution Authorizing the Award of Contract for Professional Services of a Public Defender
- V. Resolution Authorizing the Award of Contract for Professional Services of an Alternate Public Defender
- W. Tax Appeals – Township Attorney/Assessor
- X. Resolution Authorizing the Interim Township Manager to Sign Treatment Works Approval Applications and Consents
- Y. Appointment/Award of Contract – Bond Counsel Services
- Z. Resolution to Appoint a Risk Management Consultant
- AA. Resolution to Appoint Engineering Consultant Professional Services

#### **A. PERCENTAGE OF INTEREST ON DELINQUENT TAXES**

**BE IT RESOLVED** by the Township Council of the Township of Sparta, County of Sussex, that:

1. The rate of interest to be charged by the Tax Collector on delinquent taxes and assessments is fixed at the rate of eight (8) percent per annum on the first \$1,500.00 of the delinquency, to remain in full force until January 1, 2024.
2. The rate of interest to be charged by the Tax Collector on delinquent taxes on any amount in excess of \$1,500. is hereby fixed at the rate of eighteen (18) percent per annum, to be calculated from the date the tax was payable, until the date of actual payment, to remain in force until January 1, 2024.
3. If payment of any installment is made within ten (10) calendar days following the date upon which the same became payable, no interest shall be charged.
4. If payment is made after the 10<sup>th</sup> calendar day, interest is to be calculated from the due date, the first day of each quarter.
5. If taxes are not paid by December 31st, and the delinquent balance is \$10,000.00 or more including interest and taxes, a 6% year-end penalty will be charged.





## **B. PERCENTAGE OF INTEREST ON DELINQUENT WATER AND SEWER CHARGES**

**BE IT RESOLVED** by the Township Council of the Township of Sparta, County of Sussex, that:

1. The rate of interest to be charged by the Tax Collector on delinquent water and sewer charges are fixed at the rate of ten (10) percent of each delinquency, to remain in full force until January 1, 2024.
2. If payment of any installment is made within thirty (30) calendar days following the date upon which the same became payable, no interest shall be charged.
3. If payment is made after the 30<sup>th</sup> calendar day; interest is to be calculated on each delinquency that the water and sewer charges were payable until the date of actual payment.

## **C. PERCENTAGE OF INTEREST ON DELINQUENT SOLID WASTE CHARGES**

**BE IT RESOLVED** by the Township Council of the Township of Sparta, County of Sussex, that:

1. The rate of interest to be charged by the Tax Collector on delinquent solid waste charges are fixed at the rate of eight (8) percent of each delinquency, to remain in full force until January 1, 2024.
2. If payment of any installment is made within ten (10) calendar days following the date upon which the same became payable, no interest shall be charged.

## **D. AUTHORIZING SIGNATURES ON TOWNSHIP CHECKS**

**BE IT RESOLVED** by the Township Council of the Township of Sparta that the following Township Officials are hereby authorized to sign checks or withdrawal slips where a combination of two principal signatures are required with the exception of payroll account and court accounts: the CFO, Interim Township Manager, or Tax Collector or Township Clerk (in the event of absence of either the Manager or CFO only) Interim Township Manager – payroll account; and Court Administrator or Deputy Court Administrator – court accounts only.

**BE IT FURTHER RESOLVED**, that signature cards with the signatures of the persons authorized to sign are forwarded to all Township Depositories.



## **E. AUTHORIZING THE CONTINUANCE OF CONTRACTUAL AND CLAIM PAYMENTS**

**WHEREAS**, the Interim Township Manager and the Chief Financial Officer meet on a daily/weekly basis to review and prepare the bills list for the payment of invoice claims submitted to the municipality for goods and/or services rendered to the Township of Sparta for action by the Governing Body at their scheduled meetings on the second and fourth Tuesdays of each month; and

**NOW, THEREFORE BE IT RESOLVED**, that this resolution will confirm that in the event of a regularly scheduled Township Council meeting cancellation, the Interim Township Manager, in coordination with the Chief Financial Officer, is authorized to continue to make all contractual payments which customarily become due and the Township staff and professionals are directed to continue to perform their services with the understanding that any and all actions that they take shall be confirmed at the next regularly scheduled Township Council meeting, except in the case of emergency, or a matter which would be deemed by the Township Attorney to be extraordinary, authorization shall be sought from the Mayor and Council of the Township of Sparta.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the Township Council of the Township of Sparta that the Interim Township Manager has the authority to authorize routine payment requests submitted by the Chief Financial Officer from the various municipal departments, professionals, and consultants in the event of the cancellation of a regularly scheduled Township Council meeting.

## **F. CASH MANAGEMENT PLAN OF SPARTA TOWNSHIP:**

**BE IT RESOLVED**, pursuant to the provisions of N.J.S.A. 40A:5-14, the Sparta Township Council hereby adopts the Cash Management Plan for the Township of Sparta as outlined on the attached and kept on file in the offices of the Municipal Clerk and Chief Financial Officer.

## **CASH MANAGEMENT PLAN OF THE TOWNSHIP OF SPARTA, NEW JERSEY**

### **1. STATEMENT OF PURPOSE**



This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set form the basis for the deposits (Deposits") and investment (Permitted Investments") of certain public funds of the Township of Sparta, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to ensure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments. All investments shall be made on a competitive basis insofar as practicable.

## **2. INDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN**

A. The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Township:

- Current Fund
- Capital Fund
- Dedicated Trust Funds
- Other Trust Funds
- Library Fund
- Utility Operating Funds
- Utility Capital Funds
- Public Assistance Fund

The custodian of the accounts shall be the Chief Financial Officer (Certified Municipal Finance Officer). All disbursements shall be made by checks signed by two authorized signatures (signature stamp used.), with the exception of school funds and debt service, which are made by wire transfers authorized by the CFO, Interim Township Manager, or Tax Collector or Township Clerk (in the event of absence or either the Manager or CFO) only.

## **3. DESIGNATION OF OFFICIALS OF THE TOWNSHIP AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN**

The Chief Financial Officer of the Township (the "Designated Official") is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan and shall thereafter be relieved of any liability for loss of such moneys due to insolvency or closing of any depository designated by, or the decrease in value of any investment authorized by



the Cash Management Plan. Prior to making any such Deposits or any Permitted Investments, such official of the Township is directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

#### **4. DESIGNATION OF DEPOSITORIES**

The following banks and financial institutions are here designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

Those banks so designated by the Township Council by resolution.

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official referred to in Section III above.

#### **5. AUTHORIZED INVESTMENTS**

A. Investments shall be limited by the express authority of the Local Fiscal Affairs Law, N.J.S.A. 40A:5-15.1 and except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise in Deposits, in the following Permitted Investments:

- (1) Bonds or other obligation of the United States of America or obligations guaranteed by the United States of America.
- (2) Government money market mutual funds;
- (3) Any obligation that a federal agency or federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor.
- (4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;
- (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasurer for investment by Local limits;
- (6) Local government investment pools;



- (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281 (C.52:1SA90.4); or
- (8) Agreements for the repurchase of fully collateralized securities if:
  - (a) the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection;
  - (b) the custody of collateral is transferred to a third party;
  - (c) the maturity of the agreement is not more than 300 days;
  - (d) the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970' c.236 (C.17:g41), and
  - (e) a master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms "government money market mutual fund" and "local government investment pool" shall have the following definitions:

**Government Money Market Mutual Fund.** An investment company or investment trust:

- (a) which is registered with the Securities and Exchange Commission under the "Investment Company Act of 1940," 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R sec., 270.2a-7.
- (b) the portfolio of which is limited to U S. Government securities that meet the definition of any eligible security pursuant to 17 C F. R. see 270.2a-7 and repurchase agreements that are collateralized by such US Government securities; and
- (c) which is rated by a nationally recognized statistical rating organization.

**Local Government Investment Pool.** An investment pool:

- (a) which is managed in accordance with the 17 C.F.R. sec 270.2a.7;
- (b) which is rated in the highest category by a nationally recognized statistical rating organization;
- (c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.:F.R see 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
- (d) which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (c.52:14B-1 et



- seq.) by the local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity, and yield of the investments;
- (e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
  - (f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities).

**6. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN**

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Township, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Township of Sparta to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to ensure that such Permitted Investments are either received by the Township or by a third-party custodian prior to or upon the release of the Township's funds.

To assure that all parties with whom the Township deals either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the



Designated Official.

## **7. REPORTING REQUIREMENT**

On a monthly basis during which this Plan is in effect, the Designated Official referred to in Section III hereof shall supply to the Interim Township Manager a written report of any Deposits or Permitted Investments made pursuant to this Plan which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Township as Deposit or Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or Permitted Investments.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the preceding month.
- H. All other information which may be deemed reasonable from time to time by the Governing Body of the Township of Sparta, New Jersey.

## **8. TERM OF PLAN**

This plan shall be in effect Jan 1, 2023. Attached to this Plan is a resolution of the governing body of the Township approving this Plan. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Township, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

## **G. INVESTMENT OF IDLE FUNDS AND FUND TRANSFERS**





**WHEREAS**, it is desirable that idle funds of the Township of Sparta be invested in legal investment vehicles at all times; and

**WHEREAS**, it is occasionally necessary to transfer funds for the purpose of meeting current Township expenses or for the purpose of effecting investments.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Sparta, County of Sussex, State of New Jersey, that it does hereby authorize the Chief Financial Officer to request bids and to place orders for the investment of idle funds solely in legally authorized investment vehicles, such investments to the investing institution; and

**BE IT FURTHER RESOLVED**, that the above-named Financial Officer is hereby authorized to transfer funds by wire solely for the following purposes and subject to all pertinent regulations:

1. To or from Sparta Township checking or savings accounts to other Township accounts.
2. To or from Sparta Township checking or savings accounts to or from accounts specified by banks or the State of New Jersey Cash Management Funds solely for the purpose of investing for the account of the Township of Sparta.

## **H. BANKING SERVICES**

**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 banking services; and

**WHEREAS**, funds are available for this purpose; and

**WHEREAS**, the Local Public Contracts 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.

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

The Township of Sparta hereby makes the following appointment:

Jan. 1, 2023 – December 31, 2023 – Lakeland Bank





7 Town Center Dr.  
Sparta, NJ 07871

Jan. 1, 2023 – December 31, 2023 – Provident Bank  
33 Main Street  
Sparta, NJ 07871

1. This appointment is awarded without competitive bidding as “Professional Services” under the provisions of the Local Public Contracts Law because the required service is performed by persons authorized by law to practice a recognized profession.
2. A copy of this resolution shall be published in the New Jersey Herald as required by law within ten days of its passage.

**I. APPOINTMENT OF JOINT INSURANCE FUND COMMISSIONER AND ALTERNATE (JIF)**

**BE IT RESOLVED** by the Township Council of the Township of Sparta that Interim Township Manager, Grant Rome, is hereby appointed as the Fund Commissioner for the Township of Sparta.

**BE IT FURTHER RESOLVED** that the Director of Staff Operations, Sharon Hoeland is designated as the Alternate Fund Commissioner for the Township of Sparta.

**J. SUSSEX COUNTY SOLID WASTE ADVISORY COMMITTEE (SWAC)**

**BE IT RESOLVED** by the Township Council of the Township of Sparta that James Zepp, is hereby appointed to the Sussex County Solid Waste Advisory Committee for 2023.

**BE IT FURTHER RESOLVED** that Christine Smith is designated as the Alternate to the Sussex County Solid Waste Advisory Committee for 2023.

**K. PAC 208 WATER AND WASTEWATER ADVISORY COMMITTEE**

**BE IT RESOLVED** by the Township Council of the Township of Sparta that Phil Spaldi, is hereby appointed to the PAC 208 Water and Wastewater Advisory Committee for 2023.



**BE IT FURTHER RESOLVED** that Edward Haack is designated as the Alternate to the PAC 208 Water and Wastewater Advisory Committee for 2023.

**L. APPOINTMENT OF CERTIFIED RECYCLING COORDINATOR**

**BE IT RESOLVED** by the Township Council of the Township of Sparta that James Zepp, is hereby appointed as the certified recycling coordinator for 2023.

**BE IT FURTHER RESOLVED** that Robyn Hattersley is designated as the Deputy Certified Recycling Coordinator for 2023.

**M. PROFESSIONAL SERVICES RESOLUTION - AUDITOR**

**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 an auditor; 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 D. Wielkocz, C.P.A., R.M.A. of  
Wielkocz & Company LLC  
401 Wanaque Avenue  
Pompton Lakes, New Jersey 07442

In an amount not to exceed \$41,500.00



2. Political Contribution Disclosure: This contract has been awarded to Steven D. Wielkotz, C.P.A., R.M.A. of Wielkotz and Company LLC based on the merits and abilities of Wielkotz and Company LLC 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 Wielkotz and Company LLC 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 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 interests. 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 Interim 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.

## **N. PROFESSIONAL SERVICES RESOLUTION – TOWNSHIP ATTORNEY**

**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 Township Attorney; 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 appoints Thomas N. Ryan, Esq. of the law firm of Laddey, Clark and Ryan LLP, 60 Blue Heron Road, Sparta, NJ 07871 as Township Attorney for the period of January 1, 2023 through December 31, 2023 in accordance with the contract.
2. Political Contribution Disclosure: This contract has been awarded to Thomas N. Ryan, Esq. of Laddey, Clark & Ryan LLP based on the merits and abilities of Laddey, Clark Ryan LLP to provide the goods or services as described herein. This ontract 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 Laddey, Clark & Ryan LLP it’s subsidiaries, assigns, or principals controlling in 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. 9:44A-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 a member of that political party is serving in an elective public office of the Sparta, County of Sussex when the contract is awarded, or to any candidate 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 interests. 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 Interim 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.

**O. PROFESSIONAL SERVICES RESOLUTION – LAND USE & REDEVELOPMENT CONSULTANT/ATTORNEY**

**WHEREAS**, the Township of Sparta has need for the professional services of a Land Use and Redevelopment Consultant/Attorney; 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 required the award of contract for Professional Services to 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 Glenn C Kienz, Weiner Law Group LLC, 629 Parsippany Road, Parsippany, NJ 07054 as Land Use and Redevelopment Attorney/Consultant for the period of January 1, 2023 through December 31, 2023 in accordance with the contract.
2. This appointment is awarded without competitive bidding as a “Professional Service” pursuant to the Local Public Contracts Law as this is a professional service within the meaning of the law.
3. The Mayor and the Township Clerk are hereby authorized and directed to execute the contract with Glenn C. Kienz on behalf of the Township.
4. A notice in accordance with the Local Public Contracts Law shall be published in the New Jersey Herald as required by law.
5. A copy of this resolution, as well as the contract, shall be placed on file with Clerk of the Township.



**P. DESIGNATION OF TOWNSHIP AGENT FOR ENDORSEMENT OF STATE APPLICATIONS & FORMS**

**BE IT RESOLVED** by the Township Council of the Township of Sparta that the Interim Township Manager, Grant Rome, is hereby authorized to act as its agent on behalf of Sparta Township in the endorsement of various State of New Jersey grant applications as well as construction and operation permit applications relating to capital projects involving water, sewer, drainage, and roadway improvements.

**Q. DESIGNATION OF PUBLIC AGENCY COMPLIANCE OFFICER (PACO)**

**BE IT RESOLVED** by the Township Council of the Township of Sparta that in accordance with N.J.A.C. 17:27-3.5, Grant Rome, Interim Township Manager, is hereby designated as the Public Agency Compliance Officer (PACO) for the Township of Sparta for the year 2023 and a copy of this resolution shall be supplied to the Department of the Treasury, Division of Purchase & Property, Contract Compliance Unit.

**R. APPOINTMENT OF HEALTH INSURANCE FUND COMMISSIONER AND ALTERNATE (HIF)**

**BE IT RESOLVED** by the Township Council of the Township of Sparta that Interim Township Manager, Grant Rome, is hereby appointed as the Fund Commissioner for the Township of Sparta.

**BE IT FURTHER RESOLVED** that the Director of Staff Operations, Sharon Hoeland is designated as the Alternate Fund Commissioner for the Township of Sparta.

**S. TEMPORARY APPROPRIATIONS FOR OPERATING PURPOSES**

**WHEREAS**, 40A:4-19 Local Budget Act provides that (where any contracts, commitments or payments are to be made prior to the final adoption of the 2023 budget) temporary appropriations be made for the purposes and amounts required in the manner and time therein provided; and



**WHEREAS**, the date of this resolution is within the first thirty days of 2023; and

**WHEREAS**, the total appropriations in the 2023 budget, less appropriations made for capital improvement fund, debt service and relief of the poor (public assistance) are as follows:

General	\$26,052,755.00
Water Utility	21,042,901.00
Sewer Utility	646,983.00
Solid Waste Utility	2,408,850.00

**WHEREAS**, 26.25 percent of the total appropriations in the 2023 budget less appropriations for capital improvement fund, debt service and relief of the poor (public assistance) in said 2023 budget is as follows:

General	\$ 6,838,848.00
Water Utility	536,261.00
Sewer Utility	169,833.00
Solid Waste Utility	632,303.00

**WHEREAS**, the following debt service amounts will be made prior to the adoption of the 2023 budget these amounts are to be added to the temporary appropriations:

General	\$ -0-
Water Utility	\$ 588,200.00
Sewer Utility	\$ 165,775.00

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Sparta, County of Sussex, New Jersey that the above temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

**T. RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR PROFESSIONAL SERVICES OF A TOWNSHIP PROSECUTOR**

**WHEREAS**, the Township of Sparta has need for the professional services of a Township Prosecutor; 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. 40 A:11-5 requires the award of contract for Professional Services to 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 Jonathan McMeen of the law firm of Laddey, Clark and Ryan LLP, 60 Blue Heron Road, Suite 300, Sparta, NJ 07871 as Township Prosecutor for the period of January 1, 2023 through December 31, 2023 in accordance with the contract.
2. This appointment is awarded without competitive bidding as a “Professional Service” pursuant to the Local Public Contracts Law as this is a professional service within the meaning of the law.
3. The Mayor and the Township Clerk are hereby authorized and directed to execute the contract with Jonathan McMeen and Laddey, Clark & Ryan LLP on behalf of the Township.
4. A notice in accordance with the Local Public Contracts Law shall be published in the New Jersey Herald as required by law.
5. A copy of this resolution, as well as the contract, shall be placed on file with the Clerk of the Township.

**U. RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR PROFESSIONAL SERVICES OF A PUBLIC DEFENDER**

**WHEREAS**, the Township of Sparta has need for the professional services of a Public Defender; 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. 40 A:11-5 requires the award of contract for Professional Services to 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 John C. Grey, Esq., 3125 Route 10 East, Suite 2C, Denville, NJ 07834 as Public Defender for the period of January 1, 2023 through December 31, 2023 in accordance with the contract.
2. This appointment is awarded without competitive bidding as a “Professional Service” pursuant to the Local Public Contracts Law as this is a professional service within the meaning of the law.
3. The Mayor and the Township Clerk are hereby authorized and directed to execute the contract with John C. Grey, Esq. on behalf of the Township.
4. A notice in accordance with the Local Public Contracts Law shall be published in the New Jersey Herald as required by law.
5. A copy of this resolution, as well as the contract, shall be placed on file with the Clerk of the Township.

#### **V. RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR PROFESSIONAL SERVICES OF AN ALTERNATE PUBLIC DEFENDER**

**WHEREAS**, the Township of Sparta has need for the professional services of an alternate Public Defender; 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. 40 A:11-5 requires the award of contract for Professional Services to 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 any Sussex County Municipal Defender as Alternate Public Defender for the period of January 1, 2023 through December 31, 2023 in accordance with the contract.
2. This appointment is awarded without competitive bidding as a “Professional Service” pursuant to the Local Public Contracts Law as this is a professional service within the meaning of the law.
3. The Mayor and the Township Clerk are hereby authorized and directed to execute a contract on behalf of the Township.
4. In accordance with the contract terms of the Township Public Defender as modified to reflect the limited service. A notice in accordance with the Local Public Contracts Law shall be published in the New Jersey Herald as required by law.
5. A copy of this resolution, as well as the contract, shall be placed on file with the Clerk of the Township.

#### **W. TAX APPEALS – TOWNSHIP ATTORNEY/ASSESSOR**

**BE IT RESOLVED** by the Township Council of the Township of Sparta that the Municipal Assessor and Municipal Attorney/Law Firm be and they are hereby authorized to defend before the Sussex County Board of Taxation and Tax Court of the State of New Jersey all contested appeals and to initiate municipal appeals to correct the Township of Sparta tax list including, but not limited to, rollback complaints, added and omitted assessment complaints, and such other appeals as are necessary to correct the assessments for the Township of Sparta; and

**BE IT FURTHER RESOLVED** that the Municipal Assessor and Municipal Attorney/Law Firm be and are hereby designated as the agents of the Township of Sparta for the purpose of signing settlements of the foregoing matters by stipulation.

#### **X. RESOLUTION AUTHORIZING THE INTERIM TOWNSHIP MANAGER TO SIGN TREATMENT WORKS APPROVAL APPLICATIONS AND CONSENTS**

**WHEREAS**, the Township of Sparta routinely receives Treatment Works Approval (“TWA”) applications submitted to the New Jersey Department of Environmental Protection by Township property owners and their engineers for construction of septic treatment facilities; and



**WHEREAS**, the Township Council deems these applications for municipal consent to filing TWA applications routine in nature, and as such desires to authorize the Interim Township Manager to sign the TWA consent forms on the behalf of the Township of Sparta; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Sparta that the Interim Township Manager, Grant Rome, is hereby authorized to act as its agent and sign on behalf of the Township TWA applications, consents and related documents.

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.

#### **Y. APPOINTMENT/AWARD OF CONTRACT – BOND COUNSEL SERVICES**

**WHEREAS**, the Township of Sparta (“Township”) requires Bond Counsel services for the 2023 calendar year; and

**WHEREAS**, the Township has agreed to retain Hawkins Delafield & Wood LLP located at One Gateway Center, Newark, NJ 07102 to provide the necessary Bond Counsel services for a total amount not to exceed \$20,000; and

**WHEREAS**, the fees are as noted in the proposal and will remain as stated for the term of this contract; and

**WHEREAS**, the term of this contract is for the 2023 calendar year; and

**WHEREAS**, the contract with Hawkins Delafield & Wood LLP is for a total amount not to exceed \$20,000 and therefore the requirements of N.J.S.A. 19:44A-20.5 (Anti Pay-to-Play Legislation) apply; and

**WHEREAS**, Hawkins Delafield & Wood LLP has also submitted to the Township a New Jersey Business Registration Certificate, as required; and

**WHEREAS**, there are funds available for the retention of such professional services from various capital accounts; and



**WHEREAS**, said professional services may be retained without competitive bidding pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

**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 Township hereby hires, employs and retains Hawkins Delafield & Wood LLP having an office at One Gateway Center, Newark, NJ 07102 to provide Bond Counsel services for the 2023 calendar year.
2. Hawkins Delafield & Wood LLP shall be compensated for a total contract amount not to exceed \$20,000.
3. The contract with said firm is for professional services and exempt from the bidding requirements under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.
4. The award is also subject to compliance with the Equal Employment Opportunity Requirements pursuant to N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.
5. The Mayor and Township Clerk, together with all appropriate officers, employees, professionals and staff of the Township, are hereby authorized and directed to take all steps necessary to effectuate the purposes of this resolution.
6. It is hereby directed that notice of award of this contract shall be published once in the official designated newspaper of the Township within ten (10) days of the date hereof.
7. This resolution shall take effect immediately.

## **Z. RESOLUTION TO APPOINT A RISK MANAGEMENT CONSULTANT**

**WHEREAS**, the Township of Sparta has resolved to join the Morris County Municipal Joint Insurance Fund, following a detailed analysis; and

**WHEREAS**, the bylaws of said Funds require that each Governing body appoint a Risk Management Consultant to perform various professional services as detailed in the bylaws; and

**WHEREAS**, the Board of Fund Commissioners established a fee equal to \$12,000.00 of the Municipal assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the Governing Body; and



**WHEREAS**, the judgmental nature of the Risk Management Consultant’s duties renders comparative bidding impractical.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Sparta does hereby appoint Wayne F. Dietz – Skylands Risk Management, Inc. as its Risk Management Consultant in accordance with the Fund’s bylaws; and

**BE IT FURTHER RESOLVED** that the Governing Body is hereby authorized and directed to execute the Risk Management Consultant’s Agreement and to cause a notice of this decision to be published according to NJSA 40A:11-5(1)(a)(i).

#### **AA. RESOLUTION TO APPOINT ENGINEERING CONSULTANT**

**WHEREAS**, the Township of Sparta has need for the professional services of an Engineering Consultant; 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 the award of a contract 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 Edward Haack, with offices located at 65 Main Street, Sparta, as Sparta Township Engineer for six (6) months commencing January 1, 2023 with possible monthly extensions upon mutual agreement of the parties.
2. This appointment is awarded without competitive bidding as a "Professional Service" pursuant to the Local Public Contracts Law as this is a professional service within the meaning of the law.
3. The Mayor and Township Clerk are hereby authorized and directed to execute the Contract with Edward Haack on behalf of the Township.
4. A Notice in accordance with the Local Public Contracts Law shall be published in the New Jersey Herald as required by law.
5. A copy of this Resolution as well as the Contract shall be placed on file with the Clerk of the Township.



6. This resolution shall take effect immediately. However, it shall be void and of no effect in the event that Edward Haack does not sign the Agreement.

7. 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.

## **IX. ADJOURNMENT**