

**June 13, 2023**  
**Sparta Council Meeting Agenda**  
**and**  
**Related Documents**

1. June 13, 2023 - Sparta Council Meeting Agenda

Documents:

[TC\\_AGENDA-06132023-FWA.PDF](#)

2. 23-11 Ordinance Amending Code Article III Section 2 3.2

Documents:

[23-11 ORDINANCE AMENDING CODE ARTICLE III SECTION 2 3.2-P.PDF](#)

3. 2023 Amended Budget

Documents:

[2023 AMENDED BUDGET ATTACHMENT-06132023.PDF](#)



## SPARTA TOWNSHIP COUNCIL

### AGENDA

June 13, 2023

**PLEASE TAKE NOTICE** that action will be taken on the following items at the Regular Council meeting on Tuesday, June 13, 2023 in the Council Chambers, Sparta Township Municipal Building, 65 Main Street, Sparta, New Jersey.

#### **TIME:**

The Town Council 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

#### **SALUTE TO THE FLAG**

#### **PRESENTATION**

Tammie Horsfield -Sussex County Tourism



## **PROCLAMATION**

National Gun Violence Awareness Month

National Cancer Survivors Month

## **2. MINUTES**

Special Meeting Minutes (Budget) -March 27, 2023

Executive Meeting Minutes -April 11, 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**

none

## **7. HEARING OF ORDINANCE**

23-11 AN ORDINANCE AMENDING ARTICLE III, MEETINGS OF TOWNSHIP COUNCIL, SECTION 2-3.2, REGULAR MEETINGS OF THE MUNICIPAL CODE OF THE TOWNSHIP OF SPARTA



## **8. OPEN TO THE PUBLIC**

Resolutions

## **9. RESOLUTIONS**

- 9-1** Resolution Authorizing Refunds for Tax Overpayments
- 9-2** Resolution Authorizing Refunds for Tax Overpayments-Block 2008, Lot 18
- 9-3** Resolution Authorizing Refunds for Tax Overpayments-Block 16005, Lot 84
- 9-4** Resolution to Adopt 2023 Municipal Budget -Title Only
- 9-5** Resolution of Consent Authorizing the Assignment of Planet Networks, Inc.'s Approval to use the Public Rights of Way Within the Township of Sparta to Planet Fiber NJ LLC
- 9-6** Resolution Authorizing Participation in County of Sussex Volunteer Fire and Emergency Medical Services grant Program Funded by the American Rescue Plan Act's (ARPA) Coronavirus State and Local Fiscal Recovery Funds (CSLFRF), Assistance Listing #21.027
- 9-7** Resolution of the Township of Sparta Approving the Collective Bargaining Agreement Between the Superior Officers Association of the Fraternal Order of Police, Spartan Lodge #26A (SOA/FOP) and the Township of Sparta

## **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 payments

<b>BLOCK</b>	<b>LOT</b>	<b>ADDRESS</b>	<b>AMOUNT</b>
5005	11	163 West Shore Trl	\$2,582.97
4016	56	54 Alpine Trl	\$2,462.64

**9-2 Resolution Authorizing Refunds for Tax Overpayment-Block 2008, Lot 18**

**WHEREAS**, the property owner of Block 2008, Lot 18, was previously approved for a 50% exemption in accordance with N.J.S.A 54:4-30.30;

**WHEREAS**, the Assessor approved a 100% exemption as of the property deed date of April 25, 2023;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Sparta that the Tax Collector refund taxes in the amount of \$527.80 and cancel 2023 tax balance;

Q2 2023	\$527.80
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**9-3 Resolution Authorizing Refunds for Tax Overpayment-Block 16005, Lot 84**

**WHEREAS**, the property owner of Block 16005, Lot 84, is 100% exempt accordance with N.J.S.A 54:4-30.30;

**WHEREAS**, the Assessor approved the exemption as of December 12, 2021.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Sparta that the Tax Collector refund taxes in the amount of \$16,615.53 and refund/cancel 2023 taxes when tax rate is determined;

Q4 2021	\$ 779.22 (prorated)
Q1-Q4 2022	\$ 15,836.31



**9-4 Resolution to Adopt the 2023 Municipal Budget -Title Only**

**BE IT RESOLVED** by the Township Council of the Township of Sparta that the budget be read by title only inasmuch as the conditions set forth in N.J.S.A. 40:4-55 as follows have been met: that a complete copy of the approved budget was posted in the Municipal Building and copies of said budget were made available to each person requesting the same prior to a public hearing to be held on June 13, 2023.

*(Please see last attachment)*

**9-5 Resolution of Consent Authorizing the Assignment of Planet Networks, Inc.’s Approval to use the Public Rights of Way Within The Township of Sparta to Planet Fiber NJ LLC**

**WHEREAS**, Planet Networks, Inc. ("PNI") is a fiber based broadband communications services provider authorized by the New Jersey Board of Public Utilities ("NJBPU") to provide local exchange and interexchange telecommunications services throughout the State of New Jersey<sup>1</sup>; and

**WHEREAS**, PNI obtained authorization from the Township of Sparta for use of its public rights-of-way by way of Resolution #19-136 and the Rights-of-Way Use Agreement dated October 16, 2019 ("Local Approval") for the provision of its services; and

**WHEREAS**, Planet Fiber NJ LLC, a New Jersey limited liability company ("PFN"), informed the Township of Sparta that it is a wholly owned subsidiary of PNI; and

**WHEREAS**, PFN has a mailing address of 4 Park Place, Newton, New Jersey 07860; and

**WHEREAS**, PFN has informed the Township of Sparta, as part of a corporate restructuring, PNI intends to assign its right-of-way agreements to PFN; and

**WHEREAS**, PNI and PFN represents to the Township of Sparta that such a transfer will have no impact or effect on PNI’s customers and will allow for greater expansion of PNI’s existing broadband footprint.; and



**WHEREAS;** the above referenced corporate restructuring requires NJBPU approval; and

**WHEREAS;** PFN petitioned the NJBPU for said approval by way of a matter entitled In the Matter of the Petition of Planet Fiber NJ, LLC. for Authorization to Provide Local Exchange Telecommunications Services Through the State of New Jersey, Docket Number TE23030140 (“PFN Petition”), which is currently pending; and

**WHEREAS,** PNI has requested that the Township of Sparta approve the assignment of the Local Approval to PFN; and

**WHEREAS,** based on the representations made by PNI and PFN to the Township of Sparta, it appears that it is in the best interest of the Township of Sparta and its citizens to approve the assignment of the Local Approval from PNI to PFN.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Sparta, County of Sussex, State of New Jersey, hereby approves the above referenced assignment from PNI to PFN, conditioned on PFN assuming all of PNI’s obligations and responsibilities to the Township of Sparta under Resolution #19-136, the Rights-of-Way Use Agreement dated October 16, 2019 and applicable law and regulations, and further conditioned on the NJBPU’s approval of the PFN Petition. This Resolution is further conditioned on PFN providing the Township of Sparta with a written assignment and assumption agreement by which PFN assumes all obligations and responsibilities to the Township of Sparta under Resolution #19-136 and the Rights-of-Way Use Agreement dated October 16, 2019.

This Resolution shall take immediately, however it shall be void and of no effect in the event that the NJBPU denies the PFN Petition, or if it approves the PFN Petition with conditions that negatively effect the Township of Sparta and/or its residents.

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.

**9-6 Resolution Authorizing Participation in County of Sussex Volunteer Fire and Emergency Medical Services grant Program Funded by the American**





**Rescue Plan Act's (ARPA) Coronavirus State and Local Fiscal Recovery Funds (CSLFRF), Assistance Listing #21.027**

**WHEREAS**, the U.S. Department of the Treasury, Coronavirus State and Local Fiscal Recovery Funds (CSLFRF), Assistance Listing #21.027, was established by the American Rescue Plan Act of 2021, to provide \$350 billion in emergency funding for eligible state, local, territorial, and tribal governments; and

**WHEREAS**, local governments are permitted to direct these CSLFRF dollars under eligible category 2.34 Negative Economic Impacts, Assistance to Impacted Non-Profit Organizations so that they may use the grant funds to recover from the economic impacts of COVID-19; and

**WHEREAS**, the County of Sussex has created a Volunteer Fire and Emergency Medical Services Grant Program, directing up to \$410,000.00 in total for the program; and

**WHEREAS**, distribution of this grant will use American Rescue Plan Act of 2021 (ARPA) funding, and as such has been determined to be included within one (1) of the four (4) statutory categories, and is compliant with 31 CFR Part 35; and

**WHEREAS**, the Board of County Commissioners approved Resolution 213-2023 authorizing the use of funds received under the American Rescue Plan Act for the Volunteer Fire and Emergency Medical Services Grant Program allowing up to \$10,000 per volunteer organization; and

**WHEREAS**, the County requests authorization by the municipality to participate in the grant program and requests identification of the Volunteer Fire Companies and Emergency Medical Service Organizations that serve each municipality; and

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Sparta Township in the County of Sussex, State of New Jersey does hereby authorize participation in the Volunteer Fire and Emergency Medical Services Grant Program; and

**BE IT FURTHER RESOLVED** that the governing body of Sparta Township recognizes the following volunteer organizations that serve this municipality: Sparta Township Fire Department; and Sparta Ambulance Service; and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the County CFO/Treasurer and the County Qualified Purchasing Agent.



**9-7 Resolution of the Township of Sparta Approving the Collective Bargaining Agreement Between the Superior Officers Association of the Fraternal Order of Police, Spartan Lodge #26A (SOA/FOP) and the Township of Sparta**

**WHEREAS**, Sparta Township has negotiated a Collective Bargaining Agreement (“CBA”) with the Superior Officers Association of the Fraternal Order of Police, Spartan Lodge #26A (SOA/FOP) for the period January 1, 2022 through December 31, 2024.

**NOW, THEREFORE, BE IT RESOLVED** by the Sparta Township Council that the Collective Bargaining Agreement between the Township of Sparta and the Superior Officers Association of the Fraternal Order of Police, Spartan Lodge #26A (SOA/FOP) for the period January 1, 2022 through December 31, 2024 is hereby approved and the Mayor, after final approval of the Interim Township Manager and Township Attorney, is authorized to execute the Collective Bargaining Agreement on behalf of the Township of Sparta; and

**BE IT FURTHER RESOLVED** that this Resolution shall be null and void should Superior Officers Association of the Fraternal Order of Police, Spartan Lodge #26A (SOA/FOP) fail to approve this Collective Bargaining Agreement and have it executed by a duly authorized representative.

**BE IT FURTHER RESOLVED** that 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.

**AN ORDINANCE AMENDING ARTICLE III, MEETINGS OF TOWNSHIP COUNCIL,  
SECTION 2-3.2, REGULAR MEETINGS OF THE MUNICIPAL CODE OF THE TOWNSHIP  
OF SPARTA**

**WHEREAS**, the Sparta Township Council desires to amend Article III, Section 2-3.2 of the Township of Sparta Municipal Code; and

**WHEREAS**, the Sparta Township Council has approved a change to the time the Township Council Meetings for its Council Meetings, on the second and fourth Tuesdays of each month, from 7:30 p.m. to 7:00 p.m.

**NOW, THEREFORE, BE IT ORDAINED** by the Sparta Township Council, in the County of Sussex, State of New Jersey, that the Municipal Code of the Township of Sparta, Article III, Meetings of Township Council, Section 2-3.2, Regular Meetings, as follows:

**Section 1.** Section 2-3.2 is amended as follows:

The Council shall meet regularly in the Municipal Building or such other public building as may be determined by Resolution, on the second and fourth Tuesdays of each month at 7:00 p.m. prevailing time, except that the Council may, by Resolution, dispense with one or more of the regular meetings otherwise scheduled. When the time for any regular meeting of the Council shall fall on a holiday, the meeting shall be held at the same hour on the next succeeding day which is not a holiday.

**Section 2.** Severability. If any provision of this ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

**Section 3.** Repealer. All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this ordinance are hereby repealed in their entirety.

**Section 4.** Effective Date. This ordinance shall take affect after final passage and publication as required by law.

**NOTICE**

**NOTICE** is hereby given that the above ordinance was introduced and passed upon first reading at a meeting of the Mayor and Council of the Township of Sparta, in the County of Sussex, New Jersey, held on May 23, 2023. It will be further considered for final passage after public hearing at a meeting of the Mayor and Council to be held in the Municipal Building, 65 Main Street, in the Township of Sparta, on June 13, 2023, at 7:30 P.M., and during the preceding week copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public.

ROXANNE LANDY, RMC  
MUNICIPAL CLERK

**NOTICE**

**NOTICE** is hereby given that the above entitled ordinance was introduced and passed at a meeting of the Township Council of the Township of Sparta, held at the Municipal Building, 65 Main Street, Sparta, NJ on May 23, 2023. The same came up for final passage and adoption at a regularly scheduled meeting of the Township Council of the Township of Sparta, held on June 13, 2023 at 7:30 p.m., at the Municipal Building, 65 Main Street, Sparta, NJ and after all person's present were given an opportunity to be heard concerning the same, it was finally passed and adopted and will be in full force in the Township according to law.

ROXANNE LANDY, RMC  
MUNICIPAL CLERK

TOWNSHIP OF SPARTA  
RESOLUTION TO AMEND BUDGET

WHEREAS, the local municipal budget for the year 2023 was introduced and approved on the 11th of April, 2023 and  
WHEREAS, the public hearing on said budget has been held as advertised, and  
WHEREAS, it is desired to amend said approved budget, now  
THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Sparta, County of Sussex, that the following  
amendments to the approved budget of 2023 be made:

<u>RECORDED VOTE</u>	Ayes	Councilman D. Blumetti Councilman J. Hertzberg Councilwoman C. Quinn Deputy Mayor N. Clark Mayor D. Chiarriello	Nays	Abstained     Absent	FROM	TO
<b>CURRENT FUND</b>						
3. Miscellaneous Revenues-Section A Local Revenues:						
Fees and Permits					1,015,000.00	1,170,000.00
Interest on Investments and Deposits					220,000.00	238,582.00
<b>Total Section A - Local Revenues</b>					<b>1,679,950.00</b>	<b>1,853,532.00</b>
3. Miscellaneous Revenues-Section B:State Aid without Offsetting Appropriations						
Consolidated Municipal Property Tax Relief Aid					8,540.00	0.00
Energy Receipts Tax					1,235,421.00	1,243,961.00
Garden State Trust Fund					43,852.00	28,476.00
Municipal Relief Funds					0.00	64,444.56
<b>Total Section B State Aid without Offsetting Appropriations</b>					<b>1,317,141.00</b>	<b>1,366,209.56</b>
3. Miscellaneous Revenues - Section D: Special Items of Revenue Anticipated With Prior Written Consent of the Director of Local Government Services-Interlocal Agreements Township of Byram Fire Prevention					14,000.00	15,000.00
<b>Total Section D Interlocal Agreements</b>					<b>14,000.00</b>	<b>15,000.00</b>
<b>Total Miscellaneous Revenues</b>					<b>4,448,454.51</b>	<b>4,672,105.07</b>
Receipts from Delinquent Taxes					1,160,000.00	1,001,794.00
<b>Subtotal General Revenues</b>					<b>10,673,899.07</b>	<b>10,673,899.07</b>
6. Amount to Be Raised By Taxes for Support of Municipal Budget						
a)Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes					17,704,496.76	17,649,132.70
<b>7. Total General Revenues</b>					<b>29,620,123.03</b>	<b>29,630,203.53</b>
8. General Appropriations:						
(D) Municipal Debt Service - Excluded From CAPS						
Interest on Bonds					39,637.50	49,718.00
<b>Total Municipal Debt Service - Excluded From CAPS</b>					<b>1,386,441.50</b>	<b>1,396,522.00</b>
<b>9. TOTAL GENERAL APPROPRIATIONS</b>					<b>29,620,123.03</b>	<b>29,630,203.53</b>
(A) Operations-Excluded from "CAPS"						
Other Operations					1,499,671.20	1,439,671.20
Total Operations-excluded from "CAPS"					2,116,105.73	2,056,105.73
(E)Total Deferred Charges					0.00	60,000.00
Total General Appropriations					29,620,123.03	29,630,203.53
<b>DEDICATED SEWER UTILITY BUDGET</b>						
10. Dedicated Revenues From Sewer Utility Operating Surplus Anticipated					87,000.00	21,165.00
<b>Total Sewer Utility Revenues</b>					<b>1,135,823.96</b>	<b>1,069,988.96</b>
11. Appropriations For Sewer Utility Operating - Other Expenses - SCMUA					506,381.00	440,546.00
<b>Total Sewer Utility Appropriations</b>					<b>1,135,823.96</b>	<b>1,069,988.96</b>
<b>OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND</b>						
Dedicated Revenues from Trust Fund Amount to be Raised					340,000.00	341,139.00
<b>Appropriations</b>						
Development of Lands For Recreation and Conservation - Other Expenses					10,980.00	12,119.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for her certification of the local municipal budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S.A. 40A:4-9, be published in the New Jersey Herald in the Sunday edition on May 28, 2023, and that said publication contains notification of public hearing on said amendment to be held at the Municipal Building on June 13, 2023 at 7:30 pm.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on May 23rd, 2023.

Certified by me  
May 24, 2023

Roxanne Landy, RMC  
Municipal Clerk