

January 5, 2023

The reorganization meeting of the Sparta Township Council was held on Thursday, January 5, 2023 at Sparta Town Hall, 65 Main Street, Sparta, NJ.

The meeting was called to order at 6:00 p.m. by Township Attorney Tom Ryan who issued the formal statement in compliance with the provisions of the Open Public Meetings Act, Chapter 231, P.L. 1975.

Present were: Councilwoman Quinn, Councilman Hertzberg, Councilman-elect Chiariello, Councilman-elect Blumetti, Councilman-elect Clark, Interim Township Manager Sam Rome, Township Attorney Thomas Ryan and Assistant Township Clerk Roxanne Landy.

Salute to the Flag:

Attorney Ryan led the assembly in a salute to the flag.

Swearing In Of Councilmen-elect Chiariello, Blumetti and Clark:

Assistant Township Clerk Roxanne Landy administered the oath of office to Daniel Chiariello, Dean Blumetti and Neill Clark.

Reorganization of Sparta Township Council:

Selection of Mayor:

Thomas Ryan, Township Attorney, opened the floor for nominations for Mayor.

Councilman Blumetti nominated Councilman Chiariello for Mayor and Councilman Clark seconded the nomination. There being no further nominations presented, nominations were closed and Mr. Ryan asked for a roll call vote.

Councilwoman Quinn – Yes

Councilman Clark - Yes

Councilman Hertzberg – No

Councilman Chiariello - Yes

Councilman Blumetti – Yes

Having received a majority of the votes, the Township Clerk was authorized to issue one ballot for the election of Mayor Chiariello for a term ending on December 31, 2023.

Oath of Office – Mayor:

Assistant Township Clerk Roxanne Landy administered the oath of office to Mayor Chiariello.

Selection of Deputy Mayor:

Mayor Chiariello opened the floor for nominations for Deputy Mayor.

Councilman Blumetti nominated Councilman Clark for Deputy Mayor. Mayor Chiariello seconded the nomination. There being no further nominations presented, nominations were closed and Mayor Chiariello asked for a roll call vote.

Councilwoman Quinn – Abstained

Councilman Clark - Yes

Councilman Hertzberg – Abstained

Mayor Chiariello - Yes

Councilman Blumetti – Yes

Having received a majority of the votes, the Township Clerk was authorized to issue one ballot for the election of Deputy Mayor Clark for a term ending on December 31, 2023.

Oath of Office – Deputy Mayor:

Assistant Township Clerk Roxanne Landy administered the oath of office to Deputy Mayor Clark.

Mayor Chiariello asked for a 15 minute recess.

Council reconvened at 6:30 p.m.

Council Appointments – Advisory Boards and Committees

CULTURAL AFFAIRS SUBCOMMITTEE – ONE YEAR TERM

After discussion, Councilwoman Quinn made a motion to appoint Tiffany Kody and Angelica Rydzik to the Cultural Affairs Subcommittee. Councilman Hertzberg seconded the motion and they were appointed by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark - Yes
Councilman Hertzberg – Yes	Mayor Chiariello - Yes
Councilman Bumetti – Yes	

On motion by Councilman Blumetti and seconded by Councilman Hertzberg the following people were reappointed to the Cultural Affairs Subcommittee by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark - Yes
Councilman Hertzberg – Yes	Mayor Chiariello - Yes
Councilman Bumetti – Yes	

Reappointments:

Glenn Allan, Chairman	Stewart Liebman
Neil Sauerwein	Linda Coombs
Chris Tuthill	Bill Wright
Steve Hespelt	Helena Holmes
John Ellis	

On motion by Mayor Chiariello, seconded by Councilman Hertzberg, Mayor Chiariello was selected as Council Representative by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark - Yes
Councilman Hertzberg – Yes	Mayor Chiariello - Yes
Councilman Bumetti – Yes	

ENVIRONMENTAL COMMISSION – THREE YEAR TERM (MAYORAL APPOINTMENT)

Mayor Chiariello stated that he was accepting the resignation of Dean Blumetti from the Environmental Commission.

Mayor Chiariello stated that he was elevating Christine Dunbar to fill Mr. Blumetti's vacant seat on the Commission.

Mayor Chiariello appointed Kristine Rogers to fill Christine Dunbar's vacant Alternate seat.

Mayor Chiariello appointed Kimberly Noel as the Chairperson and Neil Sauerwein as the Vice Chair of the Commission.

Mayor Chiariello appointed Dean Blumetti as Council Representative.

**LIBRARY BOARD OF TRUSTEES – STAGGARED FIVE YEAR TERMS
(MAYORAL APPOINTMENT)**

Mayor Chiariello reappointed Mary Coe to the Library Board of Trustees for a five year term.

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

Mayor Chiariello

Superintendent of Schools – ex officio – One Year Term

MUNICIPAL ALLIANCE COMMITTEE – ONE YEAR TERM

On motion by Councilman Hertzberg, seconded by Councilman Blumetti the following people were reappointed to the Municipal Alliance Committee by roll call vote:

Councilwoman Quinn – Yes
Councilman Hertzberg – Yes
Councilman Bumetti – Yes

Deputy Mayor Clark - Yes
Mayor Chiariello - Yes

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

On motion by Councilman Hertzberg, seconded by Councilman Blumetti, Christine Quinn was appointed as Council Representative by the following roll call vote:

Councilwoman Quinn – Yes
Councilman Hertzberg – Yes
Councilman Bumetti – Yes

Deputy Mayor Clark - Yes
Mayor Chiariello - Yes

COUNCIL REPRESENTATIVE(S):

Christine Quinn

PLANNING BOARD – CLASS I, CLASS II AND CLASS III MEMBER – ONE YEAR TERM

Class 1 – Mayor or Mayor’s Designee

Mayor Chiariello designated Angela Kasse as his Class 1 designee to the Planning Board.

Mr. Ryan stated that he had had a conversation earlier with Deputy Mayor Clark with regard to the remaining appointments to the Planning Board and Zoning Boards. He stated that it was his suggestion that Deputy Mayor Clark not vote on these appointments because of his standing in the litigation of Dash and Clark vs. the Zoning and Planning Boards which remains pending before the N.J. State Superior Court Appellate Division and he was concerned about an appearance/actual conflict of interest.

Deputy Mayor Clark stated that while he appreciated Mr. Ryan’s input and advice, his position was that it was not a direct or indirect personal or financial interest. He stated that he had a duty under 40:55D to appoint people on the Planning Board and to abrogate that responsibility would

do a disservice to the town and to the people who elected him. He stated that he would be voting on the appointments.

Mayor Chiariello discussed the Class II appointment to the Planning Board and his desire to appoint a member of the Environmental Commission, Christine Dunbar, to that position.

Councilwoman Quinn objected to removing a Zoning Board representative from the Planning Board.

Councilman Hertzberg raised his objection to Deputy Mayor Clark not taking the advice of the Township Attorney and voting to appoint members to the Planning and Zoning Boards.

Deputy Mayor Clark reiterated that he didn't see any judicial authority that says that he has an actual conflict of interest. He stated that he has no direct or indirect financial interest or personal interest. He stated that he would be withdrawing his name from the appeal currently before the Appellate Division.

Councilwoman Quinn stated that she agreed with Councilman Hertzberg as to the perceived conflict of interest since there is talk about removing a Zoning Board representative from the Planning Board and also removing the current Chair of the Zoning Board. She stated that she felt that Council would be at serious risk of litigation and that Council members should follow the advice of the Township Attorney.

Mr. Ryan stated that he had advised the Council member of his legal advice and it was up to that member to make a determination whether or not he can proceed without any bias or prejudice in voting on the appointments. He stated that his advice was based upon the general principals of conflict as articulated in the Sparta ordinances 2-6.9. He stated that any more detailed legal advice would best be given in executive session.

Councilman Blumetti stated that the decisions being made on the Planning Board would last anywhere between one to four years and not just specific to hearing one case that would come before the Planning Board and the people being considered for those seats are volunteers that want to serve the community.

Councilwoman Quinn stated that she agreed with Councilman Hertzberg and Mr. Ryan that there is a conflict and she disagreed that Council unilaterally with no discussion make a large change to the makeup and organizational structure of the Planning Board. She stated that Christine Dunbar already serves on the Environmental Commission and there were many other people who have put in applications to serve on the Planning Board.

Class II:

Councilwoman Quinn made a motion to approve the reappointment of Dr. George Parker as a Class II member of the Planning Board. Councilman Hertzberg seconded and the motion failed by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark - No
Councilman Hertzberg – Yes	Mayor Chiariello - No
Councilman Bumetti – No	

Councilwoman Quinn stated that she did not agree with the removal of Dr. Parker and Ted Gall from the Planning Board and that thirty-eight years of historical legacy knowledge was being removed from both Boards.

Councilman Blumetti made a motion to approve the appointment of Christine Dunbar as a Class II member of the Planning Board. Deputy Mayor Clark seconded and the motion was approved by the following roll call vote:

Councilwoman Quinn – Abstained	Deputy Mayor Clark - Yes
Councilman Hertzberg – Abstained	Mayor Chiariello - Yes
Councilman Bumetti – Yes	

Councilwoman Quinn expressed her opinion that the Planning Board was being filled by too many people who have environmental connections and the purpose of the boards being open to the people in the community was not so there was a heavy hand in any one direction.

Mr. Bumetti stated that having two people with some environmental experience on the Planning Board was not loading the board and the township would benefit from having people serving who have environmental experience.

Mayor Chiariello stated that by law there had to be one representative of the Environmental Commission on the Planning Board, along with one Council member.

Class III:

Deputy Mayor Clark made a motion to approve Councilman Blumetti as a Class III member of the Planning Board. Mayor Chiariello seconded and the motion was approved by the following roll call vote:

Councilwoman Quinn – Yes

Councilman Hertzberg – Abstained

Councilman Bumetti – Yes

Deputy Mayor Clark - Yes

Mayor Chiariello - Yes

Class IV – 4 Year Terms, Alternate – 2 Year Terms:

After discussions concerning some discrepancies relating to the alternate members, Mr. Ryan suggested that the alternate appointments be tabled until it could be sorted out.

Councilman Hertzberg made a motion to reappoint Ted Gall and John Kollar as Class IV members to the Planning Board for a four year term. Councilwoman Quinn seconded and the motion failed by the following roll call vote:

Councilwoman Quinn – Yes

Councilman Hertzberg – Yes

Councilman Bumetti – No

Deputy Mayor Clark - No

Mayor Chiariello - No

Councilwoman Quinn stated that she wanted to be on the record as supporting Celeste Luciano and Ron Day as alternate members of the Planning Board.

Councilman Blumetti made a motion to appoint Celeste Luciano and Ron Day as Class IV members of the Planning Board for a four year term. Deputy Mayor Clark seconded and the motion was approved by the following roll call vote:

Councilwoman Quinn – Yes

Councilman Hertzberg – Abstained

Councilman Bumetti – Yes

Deputy Mayor Clark - Yes

Mayor Chiariello - Yes

RECREATION COMMITTEE- STAGGERED 3 YEAR TERMS:

There were discussions concerning whether or not there was a limit to the number of people who can serve on the committee. Mayor Chiariello stated that until that was known, three people would be appointed to the committee now.

Councilwoman Quinn made a motion to reappoint Pat Caruso Schultz to the Recreation Committee for a three year term. Councilman Hertzberg seconded and the motion was approved by the following roll call vote:

Councilwoman Quinn – Yes

Councilman Hertzberg – Yes

Councilman Bumetti – Yes

Deputy Mayor Clark - Yes

Mayor Chiariello - Yes

Councilwoman Quinn made a motion to appoint George Segale and Derek Pivoko to the Recreation Committee for a three year term. Councilman Hertzberg seconded and the motion was approved by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark - Yes
Councilman Hertzberg – Yes	Mayor Chiariello - Yes
Councilman Blumetti – Yes	

Councilwoman Quinn made a motion to be Council Representative. Councilman Hertzberg seconded and the motion failed by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark - No
Councilman Hertzberg – Yes	Mayor Chiariello - No
Councilman Blumetti – No	

Councilman Blumetti made a motion for Deputy Mayor Clark to be Council Representative. Mayor Chiariello seconded and the motion was approved by the following roll call vote:

Councilwoman Quinn – No	Deputy Mayor Clark – Yes
Councilman Hertzberg – No	Mayor Chiariello - Yes
Councilman Blumetti – Yes	

Councilwoman Quinn informed the Council that there were historically two Council representatives to the Recreation Committee.

Councilman Blumetti made a motion for Councilwoman Quinn to serve as the second Council representative. Mayor Chiariello seconded and the motion was approved by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark – Yes
Councilman Hertzberg – Yes	Mayor Chiariello - Yes
Councilman Blumetti – Yes	

SENIOR ADVISORY COMMITTEE – STAGGERED TWO YEAR TERMS:

Councilman Hertzberg made a motion to reappoint the following people to the Senior Advisory Committee. Councilwoman Quinn seconded and the motion was approved by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark – Yes
Councilman Hertzberg – Yes	Mayor Chiariello - Yes
Councilman Blumetti – Yes	

Christine Weiss
Arlene Kayne
Marianne Dilworth
Melanie Morter

Mayor Chiariello stated that new members might be appointed depending on whether or not there were spaces available.

Councilwoman Quinn made a motion for Councilman Hertzberg to serve as the Council representative. Councilman Hertzberg seconded and the motion was approved by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark – Yes
Councilman Hertzberg – Yes	Mayor Chiariello - Yes
Councilman Blumetti – Yes	

Councilman Hertzberg made a motion for Councilwoman Quinn to serve as the second Council representative. Councilwoman Quinn seconded and the motion was approved by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark – Yes
Councilman Hertzberg – Yes	Mayor Chiariello - Yes
Councilman Blumetti – Yes	

ZONING BOARD- FOUR YEAR TERMS/ALTERNATES – TWO YEAR TERMS

Mr. Ryan reiterated his legal advice to Deputy Mayor Clark that he should refrain from voting for appointments on the Zoning Board.

Deputy Mayor Clark stated that it was noted.

Councilman Hertzberg made a motion to reappoint Dr. George Parker and Michael Sylvester for a four year term on the Zoning Board. Councilwoman Quinn seconded and the motion failed by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark – No
Councilman Hertzberg – Yes	Mayor Chiariello - No
Councilman Blumetti – No	

Deputy Mayor Clark made a motion to appoint Mark Scott and Richard Rohrbacher for a four year term on the Zoning Board. Councilman Blumetti seconded and the motion was approved by the following roll call vote:

Councilwoman Quinn – No	Deputy Mayor Clark – Yes
Councilman Hertzberg – No	Mayor Chiariello - Yes
Councilman Blumetti – Yes	

Councilwoman Quinn made a motion to appoint Celeste Luciano and Megan Struble as Alternates to the Zoning Board. Councilman Hertzberg seconded and the motion was approved by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark – Yes
Councilman Hertzberg – Yes	Mayor Chiariello - Yes
Councilman Blumetti – Yes	

ECONOMIC DEVELOPMENT ADVISORY COMMITTEE – ONE YEAR TERM

Mayor Chiariello stated that he wanted to hold off on appointing anyone right now to the committee because he had concerns on the way the committee has been conducted. He stated that the committee was formed by resolution on November 21, 2006 with specific objectives and goals and to his knowledge the committee has not met any of them. He stated that the committee also meets at 8:30 a.m. when it's not convenient for the public to attend and also has not published any minutes in well over a year.

Mayor Chiariello stated that he was recommending tabling any appointments for now and at a later time he would like to have a study done on what the committee should actually be doing and reform the committee under a different set of objectives.

Councilman Hertzberg stated that the committee is made up of business owners and the time of the meeting was chosen by them to accommodate their needs. Councilman Chiariello stated that he felt the meeting should be open to the public and at a time that was more convenient.

Councilwoman Quinn stated that the committee serves an important purpose for the small business owners in town and that there was a preplanned event that would be happening in February and that Council could appoint people now and then revisit goals and objectives at a later time.

Deputy Mayor Clark stated that if the committee does have an event in February then the committee should be appointed quickly because he agreed that there should be an Economic Development Committee. He stated that there should be an understanding as to what their objectives are and they are consistent and it should be done quickly.

Mayor Chiariello went over the stated goals of the committee as they appear in the resolution.

Councilman Hertzberg stated that the committee has since changed the goals from when the resolution was adopted in 2006.

Mayor Chiariello stated that it should have come to the Council for formal memorialization.

Councilwoman Quinn stated that the Chamber and the SCEDP also meet at 8:00 in the morning because that is the best time for the business owners.

Mayor Chiariello stated that the Chamber was not a Township Council board.

Councilman Hertzberg made a motion to reappoint members to the Economic Development Advisory Committee. Councilwoman Quinn seconded and the motion failed by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark – No
Councilman Hertzberg – Yes	Mayor Chiariello - No
Councilman Blumetti – No	

Councilwoman Quinn stated that she wanted to be on the record that she was against changing the trajectory of this committee and stopping it at any point. She stated that what the Council just did was disband the committee. She stated that members of the committee could have been reappointed while the Council relooked at their objectives. She stated that this committee had been vital during the COVID pandemic as far as letting the town know what the small business owners needs were.

Mayor Chiariello stated that this appointment should be an Agenda item for the next meeting on Tuesday or the last meeting in January.

GOVERNMENT LIAISONS:

Councilman Blumetti made a motion for himself and Deputy Mayor Clark to be liaisons to the County of Sussex. Deputy Mayor Clark seconded the motion and it was approved by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark – Yes
Councilman Hertzberg – Yes	Mayor Chiariello - Yes
Councilman Blumetti – Yes	

Councilman Blumetti made a motion that Deputy Mayor Clark and Mayor Chiariello be liaisons to the Board of Education. Deputy Mayor Clark seconded the motion and it was approved by the following roll call vote:

Councilwoman Quinn – Abstained	Deputy Mayor Clark – Yes
Councilman Hertzberg – No	Mayor Chiariello - Yes
Councilman Blumetti – Yes	

Councilman Blumetti made a motion that Deputy Mayor Clark and Councilwoman Quinn be liaisons to the LMCC. Councilman Hertzberg seconded the motion and it was approved by the following roll call vote;

Councilwoman Quinn – Yes	Deputy Mayor Clark – Yes
Councilman Hertzberg – Yes	Mayor Chiariello - Yes
Councilman Blumetti – Yes	

TECHNOLOGY COMMITTEE – ONE YEAR TERM:

Mayor Chiariello stated that he had served on this committee for four years and had met maybe three times and it had just consisted of getting an update from the IT Director. He stated that he recommended tabling the committee unless there is a definite need for it.

Councilwoman Quinn stated that she had also served on the committee and during her time it had done some good things like coming up with a new web site and looked at the new features and functionalities of the CAD system. She stated that would like to see the committee stay intact and it can be very effective with a clear set agenda.

Councilman Hertzberg stated that the idea of it was good and helped get people to bring outside technology to help government be more efficient. He stated that he thought there was value in it and it could be used to make the township better.

Deputy Mayor Clark stated that he would like to see Council start streaming their meetings and make them available.

Mayor Chiariello stated that it would be a policy decision that Council can make.

Interim Manager Rome stated that the town was looking at possibilities that streaming could happen sometime this year if the Council determined that it wanted to go in that direction.

Councilman Hertzberg made a motion to reappoint members of the Technology Committee for a one year term. Councilwoman Quinn seconded and the motion failed by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark – No
Councilman Hertzberg – Yes	Mayor Chiariello - No
Councilman Blumetti – No	

Mayor Chiariello stated that Council could look at reconstituting the committee with a different scope.

SALUTE 07871 COMMITTEE – ONE YEAR TERM:

Councilman Hertzberg stated that this committee was not a Township committee.

Deputy Mayor Clark made a motion to table the appointments to the Salute 07871 Committee. Councilman Hertzberg seconded and the motion was adopted by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark – Yes
Councilman Hertzberg – Yes	Mayor Chiariello - Yes
Councilman Blumetti – Yes	

FIRE MARSHAL APPOINTMENT – APPT. BY MANAGER:

Sam Rome, Interim Township Manager, appointed Thomas McIntyre as Fire Marshal for 2023.

APPOINTMENT OF EMERGENCY MANAGEMENT COORDINATOR AND DEPUTY COORDINATOR:

Councilwoman Quinn made a motion to appoint the following people as Emergency Management Coordinator and Deputy Coordinator. Councilman Hertzberg seconded and the appointment were approved by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark – Yes
Councilman Hertzberg – Yes	Mayor Chiariello - Yes
Councilman Blumetti – Yes	

Emergency Management Coordinator – Jeffery McCarrick
Deputy Emergency Management Coordinator – Thomas McIntyre

APPOINTMENT OF SPARTA HEALTH DEPARTMENT LIAISONS:

Councilman Hertzberg made a motion that Councilwoman Quinn be a liaison to the Sparta Health Department. Councilman Blumetti seconded and the appointment was approved by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark – Yes
Councilman Hertzberg – Yes	Mayor Chiariello - Yes
Councilman Blumetti – Yes	

Mayor Chiariello made a motion that he be a liaison to the Sparta Health Department. Deputy Mayor Clark seconded and the appointment was approved by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark – Yes
Councilman Hertzberg – Yes	Mayor Chiariello - Yes
Councilman Blumetti – Yes	

IV. A. Designation of Advertising Media/Print

Deputy Mayor Clark made a motion to designate the following advertising media/print. Councilman Blumetti seconded and it was approved by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark – Yes
Councilman Hertzberg – Yes	Mayor Chiariello - Yes
Councilman Blumetti – Yes	

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

B. Designation of Advertising Media/Electronic

Councilwoman Quinn suggested adding another media electronically because people had been expressing frustration that they were not able to find information on meetings and things of that nature. She stated that the Sparta Independent also had an online version and suggested adding it to the list.

Deputy Mayor Clark stated that he thought that Councilwoman Quinn had made a good point and expanding the availability for the public was a good thing and would not be opposed to adding another media.

Interim Manager Rome stated that there were statutory requirements as to certain dates when publications need to be made. He stated that unfortunately the New Jersey Herald had changed some of those times and it makes it very hard to meet the needed criteria. He stated that the Town needed to avail itself of as many options as possible to get the information out as to not miss any statutory deadlines.

Councilwoman Quinn made a motion to amend Designation of Advertising Media/Electronic to include the online version of the Sparta Independent if the Manager can confirm that they meet the Township's requirements. Councilman Hertzberg seconded and the motion was adopted by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark – Yes
Councilman Hertzberg – Yes	Mayor Chiariello - Yes
Councilman Blumetti – Yes	

Deputy Mayor Clark made a motion to designate the following Advertising Media/Electronic. Councilman Blumetti seconded and it was approved by the following roll call vote:

Councilwoman Quinn – Yes
 Councilman Hertzberg – Yes
 Councilman Blumetti – Yes

Deputy Mayor Clark – Yes
 Mayor Chiariello - Yes

TAP into Sparta
 The New Jersey Herald
 Sparta Independent

V. Designate Township Council Meetings:

Mayor Chiariello asked if there was any discussion concerning moving the starting time of the Council meetings from 7 p.m. back to 7:30 p.m.

Councilman Hertzberg stated that the start time was moved in order to accommodate Township employees who work a full day and then have to attend the meeting in the evening. He stated that at the time Council felt that the 7 p.m. starting time was reasonable.

Councilwoman Quinn stated that if the Council was going to change the meeting time back to 7:30 p.m. there should be an end time placed on the meetings so that employees are not leaving the meetings late at night after having worked all day.

Mayor Chiariello stated that he was not in favor of an end point and believed that if Council needed to discuss something then they stay until the public discussion is over. He stated that he didn't believe that the half hour time difference would be of much consequence.

Councilman Blumetti stated that starting at 7:30 p.m. would allow people to get home from work, have dinner and would allow the public easier access to attend meetings, or watch a live stream.

Councilman Blumetti made a motion to begin Council meetings on the second and fourth Tuesdays of the month at 7:30 p.m. Mayor Chiariello seconded and the motion was carried by the following roll call vote:

Councilwoman Quinn – No
 Councilman Hertzberg – No
 Councilman Blumetti – Yes

Deputy Mayor Clark – Yes
 Mayor Chiariello - Yes

Councilwoman Quinn stated that she was indicating on the record that she was changing her yes vote to no.

Mayor Chiariello asked if Council decided to change the time back at a later time if they had to provide a certain amount of advanced notice.

Mr. Ryan stated that 48 hour notice would need to be given as per the Open Public Meetings Act.

VI. Designation of Legal Depositories

Councilman Hertzberg made a motion to designate the following legal depositories. Councilwoman Quinn seconded and the motion was carried by the following roll call vote:

Councilwoman Quinn – Yes
 Councilman Hertzberg – Yes
 Councilman Blumetti – Yes

Deputy Mayor Clark – Yes
 Mayor Chiariello - Yes

Valley National Bank
 Provident
 First Hope Bank

PNC Bank
 State of NJ Cash Management
 Lakeland Bank

VII. Open to the Public – Resolutions:

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

VIII. Resolutions:

Councilman Blumetti asked if **Resolution O, Professional Services-Land Use and Redevelopment Consultant/Attorney**, was specifically for the Zoning Board.

Mr. Ryan stated that his understanding was that it was an extended role and it's to address issues of redevelopment within the sphere of land use issues. He stated that it's to appoint a consultant/attorney to provide council to the township on redevelopment, as well as general land use.

Councilman Blumetti asked who had the position now. Mr. Ryan stated that it was Glen Kienz. Councilman Blumetti also asked what the specific term was for the attorney. Mr. Ryan stated that it was for one year.

In response to a question by Councilman Blumetti, Mr. Ryan stated that the attorney was paid on an hourly basis.

Mr. Rome stated that if the attorney was doing work for the escrow or for the actual applicant, it would get billed to escrow. He stated the town would be billed for redevelopment and it goes against whatever project the town is doing the redevelopment on.

Councilman Blumetti asked if there was a maximum limit that the town would be billed. Mr. Rome stated that the Township was getting escrow from the leasing of the property and that pays for Mr. Kienz.

Deputy Mayor Clark asked if all of Mr. Kienz's fees are paid by the lessee of the property into escrow. Mr. Rome stated that was correct.

Deputy Mayor Clark asked if there would be any fees that would be independent of the lessees' obligation. Mr. Rome stated that not at this time.

Mayor Chiariello asked for a vote on just Resolution O.

Councilwoman Quinn made a motion to adopted Resolution O. Councilman Hertzberg seconded and the resolution was duly adopted by the following roll call vote:

Councilwoman Quinn – Yes
 Councilman Hertzberg – Yes
 Councilman Blumetti – Yes

Deputy Mayor Clark – Yes
 Mayor Chiariello - Yes

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.

Councilman Blumetti had a question regarding **Resolution X, Authorizing the Interim Manager to Sign Treatment Works Approval Applications and Consents**. He asked what the approval process was.

Mr. Rome stated that it usually comes from the Health Department and once the health officials indicate that everything is in proper order, he would sign off on them.

Councilman Blumetti asked if there was an engineering review as well. Mr. Rome indicated that there was.

Councilman Hertzberg made a motion to adopted Resolution X. Councilman Blumetti seconded and the resolution was duly adopted by the following roll call vote:

Councilwoman Quinn – Yes	Deputy Mayor Clark – Yes
Councilman Hertzberg – Yes	Mayor Chiariello - Yes
Councilman Blumetti – Yes	

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.

Deputy Mayor Clark asked for clarification on **Resolution AA, Appointing Engineering Consultant Professional Services**. He asked if he was correct that it was a resolution to appoint Mr. Haack who has been serving as the Township's staff engineering consultant for an additional six months.

Mr. Ryan stated that that was correct.

Deputy Mayor Clark asked if the Township has other engineering consultants that are retained by the Township. Mr. Haack stated that the other engineers are hired by the Boards and their expenses are covered by escrow accounts that are deposited by the applicants.

Deputy Mayor Clark asked if there were any other engineering consultants hired for the town council. Mr. Haack stated that no one else had been hired at the moment. He stated that if the town needed some specialized service beyond what he could design, the town would then go out for prices from an engineer who would specialize in a particular project.

Deputy Mayor Clark asked if it would be the Planning Board's decision who their engineering consultant would be. Mr. Haack stated that was correct.

Deputy Mayor Clerk asked if the only person who is advising the Town Council on engineering is Mr. Haack. Mr. Haack stated that the Town was in the process of terminating the previous contract that it had with the other engineer. He stated that the goal was to bring the engineering department back in house so that there would be employees here doing the engineering work.

In response to a question by Deputy Mayor Clark concerning cost savings by having an in house engineer, Mr. Rome stated that it would probably be a cost savings of at least 400,000 to \$500,000 a year.

Councilwoman Quinn stated that the in house model for engineering was very appealing, but it didn't have to be all engineers internal to Sparta Township. She stated that the town was not looking to build an engineering department because that would cost too much money.

Mr. Haack stated that even with a relatively modest engineering department in house, a lot of work could be done by those employees and still save in the neighborhood of \$400,000 to \$600,000.

Councilwoman Quinn made a motion to adopt Resolution AA. Councilman Blumetti seconded and the resolution was duly adopted by the following roll call vote:

Councilwoman Quinn – Yes
Councilman Hertzberg – Yes
Councilman Blumetti – Yes

Deputy Mayor Clark – Yes
Mayor Chiariello - Yes

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.

Mayor Chiariello had a question concerning **Resolution W, Tax Appeals – Township Attorney/Assessor**. He stated that he didn't see the name of the attorney listed.

Mr. Ryan stated that it was handled by the Municipal Attorney's office. Mr. Ryan stated that the resolution was required for an appearance before the Tax Board on tax appeals.

Mr. Rome stated that in the past Mr. Ryan's associates who handle the tax appeals did a fabulous job for the town to get as much money back for the town as possible.

On motion by Councilwoman Quinn, seconded by Councilman Hertzberg and unanimously carried Resolutions A through N, P through W, Y and Z were duly adopted:

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 10th 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 30th 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. IDENTIFICATION 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 DEPOSITORY

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. Wielkotz, C.P.A., R.M.A. of
Wielkotz & 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 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 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.

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.

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).

IX. Adjournment

Councilman Blumetti wanted to recognize everyone who came to the meeting and was happy to see so many people at the meeting.

Deputy Mayor Clark stated that Sparta does better when more people rise up and participate and be engaged and encouraged everyone to tell their friends and neighbors to come out to see democracy in action and if they had an issue, let it be known.

Mayor Chiariello thanked everyone for coming out and he was appreciative of everyone who came.

Councilwoman Quinn welcomed the new members and the newly sworn in officers and stated that there were a lot of great projects in the works and a lot of great opportunities for the Council in the future.

No one else wished to be heard and no further business was brought up, motion was made by Councilwoman Quinn, seconded by Councilman Hertzberg and unanimously carried to adjourn at 8:23 p.m.

Respectfully submitted,

Roxanne Landy, RMC
Assistant Municipal Clerk