

January 10, 2023

The meeting was called to order at 7:30 p.m. by Mayor Chiariello who issued the formal statement in compliance with the provisions of the Open Public Meetings Act, Chapter 231, P.L. 1975.

Roll call was taken and present were: Mayor Chiariello, Deputy Mayor Clark, Councilman Blumetti, Councilwoman Quinn, Councilman Hertzberg, Interim Township Manager/CFO Grant Rome, Township Attorney Thomas Ryan, and Assistant Township Clerk Roxanne Landy.

Salute to the Flag:

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

Minutes:

On motion by Councilwoman Quinn, seconded by Councilman Hertzberg and carried, the regular meeting minutes held on November 22, 2022 were approved as presented. Deputy Mayor Clark and Councilman Blumetti abstained.

Manager's Report:

Mr. Rome introduced new Police Chief Jeff McCarrick and Lt. Adam Carberry to the Council.

Interim Manager Grant Rome gave updates to various projects and events in Sparta Township, a copy of which is attached hereto:

Clerk's Office:

2023 Dog & Cat License Renewal

- Reminder that licenses must be renewed January 2nd thru February 28, 2023. All residents with dog & cat licenses filed with the Township were sent renewal notices. The Rabies clinic is scheduled for April 22, 2023.

Public Works:

- The Christmas Tree Collection started on Tuesday, January 3rd. Residents can put their trees along the curb, but off the street, to be collected. Residents must place their trees out no later than January 16th. Trees put out later than this date will not be picked up and must be dropped off by the resident to Sussex County Municipal Utility Authority ("SCMUA").
- The 2022 Leaf Bag Program was completed on December 2nd, however crews still picked up leaf bags if they notice them while out on road detail. After January 1, 2023 bags will no longer be picked up and must be dropped off by the resident to Sussex County Municipal Utility Authority ("SCMUA").
- There were six (6) storm events during the month of December. Road crews stayed busy maintaining safe roads, municipal parking lots, treating, plowing and removing storm debris.
- Salt continues to be delivered and stored at the Public Works facility to be ready for the upcoming winter months.
- Building and Grounds assisted in the Dispatch Center relocation for the upgrade project.
- Public Works has installed a vehicle impound yard for our Police Department. This is located at the DPW complex on Prices Lane.

- This past Friday, Public Works received a new full-size snow fighter dump truck

Parks & Recreation:

- The Winter Registration opened on December 14th. Many of the programs are filling up. All programs will begin within the first 2 weeks of January.
- The Senior Citizen New Year's Eve Party was held on Thursday, December 29th with 85 participants. This event was very well received.
- The department is preparing for the Winter Carnival, which will be held this year on February 4th. Many of the groups that participated in the past will be returning.
- The Parks Department is working on new picnic benches and player benches for all our parks. They will also be doing tree maintenance in the Glen and preparing the new area we have purchased so that people can have access to the lower level of the Glen.

Building Department:

- In 2022 there were 2,628 permits and updates processed.
- Collectively, 6,390 inspections were performed.
- Total fees collected amounted to \$661,478.
- As of the first week of the new year, permit applications have been steady.

Police Department:

Community:

- The Police Department had a successful toy drive in which all the toys donated were given to Benny's Bodega in Newton on Saturday, December 17th. Thank you to all that donated.
- We would like to thank the Chambers family for their generous donation to our department of 7 Life Vac Systems. This is a great tool that our officers can use while on patrol to help anyone, who is choking or has a blocked airway.

DWI Patrols:

- Patrols were increased during December and the beginning of January. These added patrols were funded with DDEF Grant money. They were extremely active in enforcement during these shifts which resulted in 9 DWI arrests.

OEM Report:

- The Sparta Township Office of Emergency Management is constantly monitoring the forecast for extreme weather. Go2 warming centers will be opened if needed. Residents are encouraged to visit our Police Department, as well as our Library, at any time during operating hours to warm up or charge devices. We will continue to post on our social media platforms safety tips on space heater usage, caution on ice skating or use of lakes, as well as other important winter related safety tips.

Dispatch Center Update:

- Our dispatch center has been under renovation for the past month. The renovations include new radio consoles as well as new furniture. With the collaboration of our new vendor, PMC, IT Support Staff Joe Kalyoussef and David Drew, and Building and Grounds employees Gene Donnelly, and Gunnar Batty, all worked extremely hard and efficiently to get this project near completion. The center is scheduled to be

up and running on Monday, January 9th. We are excited for this much needed upgrade to provide the best services possible to our community and all our other partner agencies that we provide dispatching services for.

This project was funded thru the 2023 Community Project Funding Grant from the US Congressional District in which Sparta Township was awarded \$306,000.

The Police Department would like to invite members from the Council, and all other agencies that utilize our dispatching services, for a tour in the near future.

Library:

- The Sparta Junior Women's Club Giving Tree collected Christmas gifts for children throughout Sussex County. Sparta Library was used to collect the many carloads of gifts. This annual event continues to be a great program. The Library donated their fine money that was collected in December of \$1,929.30 to the Ecumenical Food Pantry.

Approval of Manager's Report:

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

Open to the Public:

Sally Larsen, 56 Mt. Spring Drive addressed Council and asked for the meetings to be streamed on line.

Mayor Chiariello stated that he agreed and he was planning to have a discussion some time in February for promoting transparency and ease of access to the public.

Jeff McCarrick, Chief of Police and Lt. Adam Carberry welcomed back past Council members and also welcomed new members Deputy Mayor Clark and Councilman Blumetti. He stated that he was looking forward to working with and supporting the Council, employees and citizens of the Township. He stated that the department was very excited about the new dispatch center and invited people to tour the facility.

Mayor Chiariello also encouraged people to tour the dispatch center as it was something that the Township should be very proud of.

Vivian Perlmutter, Morgan Drive, addressed Council and stated that live streaming the Council meetings was important. She also asked if the Town could explore having electronic payments from banks for taxes, water bills and solid waste.

Mayor Chiariello stated that people can pay electronically through the Township website with an ACH or a credit card for water bills and solid waste.

Mr. Rome stated that there was also an extra charge to offset the credit card company fees.

Anand Dash, 17 Ponderosa, addressed Council with respect to notices of important legislation or events that come before the Council, Planning Board, or Zoning Board in that it should be sent through the RAVE system to better inform the general public instead of just meeting the minimum legal requirement for public notices.

Mayor Chiariello stated that he agreed and he wanted to make sure that the Township Council agenda was set earlier so that by Friday it would be able to be shared publicly. He stated also that he wanted to have open discussion about things that rise to the threshold of importance and he also wanted to get input from the community on how the Economic Development Committee could be restructured. He stated also that he agreed that having an opt in email notification might be a good idea.

Councilwoman Quinn stated that they had had discussions about sending meeting notifications out through RAVE general because it's hard to determine what everyone would find to be important. She stated there should be an option to check off for people who want to see meeting agendas so that they can deem for themselves what they think meets their threshold of importance.

Deputy Mayor Clark stated that some Townships have apps whereby people would be able to set their preferences for example receiving notices regarding the Zoning and Planning Boards. He stated that he was looking forward to getting people's ideas and input.

Kathy Ebbinkhuysen, 25 Scudders Road, addressed Council and asked that members speak directly into the microphones. She stated some people in the room cannot hear and during streaming, conversations were difficult to pick up.

Dave Smith, Sparta addressed Council and congratulated the new Council members on their election to the Council. He stated that he had listened to the Township reorganization meeting and he was upset by a comment that Deputy Mayor Clark had made. Mr. Smith asked Deputy Mayor Clark if he had stepped down from the SRD last year because he was planning to run for Council and felt that it was a conflict of interest.

Deputy Mayor Clark stated that he didn't think conflict of interest was the correct word, but he felt that his attentions would be diverted towards the campaign and he thought it was in the best interest of SRD that he should step down.

Mr. Smith spoke about the lawsuit that Deputy Mayor Clark had brought against the Planning and Zoning Boards and that he had refused to recuse himself from voting for Planning and Zoning Board members even after the Township Attorney had advised him that it could be considered a conflict of interest. He stated that Deputy Mayor Clark had appointed people to the Planning and Zoning Boards and still didn't feel that it was a conflict even though some of the people he appointed had no qualifications. Mr. Smith indicated that one of the people he had appointed paid for most of his campaign ads in the Sparta Independent.

Mayor Chiariello denied that and stated that it was false. He stated that the ads were not part of their campaign.

Mr. Smith asked Deputy Mayor Clark why he was trying to take his name off of a lawsuit that he thoroughly believed in. He stated that he would let Deputy Mayor Clark's constituents figure out if there were any conflict of interests and what type of deputy mayor he would be.

Deputy Mayor Clark stated that he felt that he had no personal or financial conflicts of interest which is what is required under the statute. He stated that he could make independent judgments and hoped that people would be watching and scrutinizing everyone because that's how democracy works. He stated that he heard Mr. Smith's point, but he would not abrogate his responsibility to the residents who voted for him and step away from it. Deputy Mayor Clark further stated that because he took time away from SRD it was not an admission that there was a conflict under the law and the voters could decide for themselves and they have.

Barbara Gomes, Links Court, addressed Council and stated that she was the Vice President of Sparta For Responsible Development. She stated that SRD was their constituents and the charitable money that's donated goes to the Highlands Coalition directly and that she was just helping to organize her neighbors who want to do a good thing for their community and support each other. She stated that the money is used to pay for independent experts to give advice.

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

Expenditures:

Councilman Blumetti asked a question regarding a reimbursement for electricity for 5 West Shore Trail.

Mr. Rome stated that the reimbursement went to the actual property owner and was the final payment. He stated that the Township had still been leasing the facility at that time.

Councilman Blumetti stated that there was a bill to a landscaper for snow removal for North Village and wanted to know why the DPW didn't do snow removal for that area.

Councilman Hertzberg stated that he didn't think that the Township had taken over the roads yet.

Mr. Rome stated that the Township had just begun taking the roads over within the last couple of months and that Mr. Haack was making sure that everything was up to standards before the Town took over the roads.

Councilman Blumetti stated that he had no further questions.

On motion by Deputy Mayor Clark, seconded by Councilman Blumetti and unanimously carried, expenditures in the amount of \$5,651,666.11 were approved as presented.

Open to the Public – Resolutions:

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

Resolutions:

Councilman Blumetti had a question concerning Resolution 9-13, Professional Services – Health Services Consultant. He asked what services the health consultant provided.

Councilman Hertzberg stated that it had been brought to the Township's attention from the senior community that they were not getting the proper health services that they deserved and were required, a negotiation with the County ensued and the Township had made a decision to pull out of the County health services and create its own health department in order to better care for the residents. He indicated further that in the meantime the County had taken the charge for service and put it in the general tax thus prohibiting the Township from forming its own health department because it would have incurred a double tax on the taxpayers. Councilman Hertzberg stated also that the Township had brought in a consultant to make sure that there would always be vetting of the health care and services that the Township was getting from the County to make sure that the residents were getting what was owed to them.

In response to a question by Deputy Mayor Clark, Mr. Rome stated that the health consultant was a retired health officer who had been in the Division of Health for approximately 50 years and he is also a retired Township Manager from another municipality, as well as having served as an Interim Township Manager for Sparta.

Councilwoman Quinn stated that the health consultant had also been critical during the Covid pandemic and she had held meetings with him, along with the Township Manager, for over two years. She stated that he also goes over all of the reporting that comes out every month with regard to different health inspections that go on from the County and he brings any concerns forward and makes sure that things are clarified.

Councilman Blumetti had a question concerning Resolution 9-14, Authorizing Compliance with the US Equal Employment Opportunity Commission's Employment Decisions. He wanted to know if the Interim Township Manager could confirm that the Township's hiring practices were in compliance with the enforcement guidelines.

Mr. Ryan, Township Attorney, stated that in the resolution the Council would be confirming that Sparta Township is complying with the limitations placed upon use of criminal records and criminal history in the hiring process. He stated that Sparta's job applications do not contain questions any longer with regard to criminal history and the initial interviews do not have any inquiries with regard to criminal history except where it is permitted under the EDOC guidelines which has to do with law enforcement. He stated that in a subsequent interview if a contingent offer of employment is made, at that point an inquiry can be made.

Mayor Chiariello had a question concerning Resolution 9-11 Authorizing the Purchase of Propane via State Contract for 2023. He asked why the contract was coming up now since it was awarded for the period of June 1, 2020 through May13, 2025.

Mr. Rome stated that it was actually the approval to buy at co-op prices. He stated that co-ops give the Township better pricing because the product is purchased in bulk. He stated that basically each year the Township renews it through the coop who is offering the best price for the product.

Deputy Mayor Clark thanked Mr. Rome for giving him good clarification on what the various purchasing organizations do and assured him that the purpose of them was to get the Township a better price and save taxpayer money. He stated that Mr. Rome also assured him that the Township could go outside of the coops if a better price for a product was available.

On motion by Deputy Mayor Clark, seconded by Councilman Blumetti and unanimously carried Resolutions 9-1 through 9-16 were duly adopted:

9-1 Tax Collector Refunds

BE IT RESOLVED BY THE Township Council of the Township of Sparta that the Tax Collector refunds the following tax over payment

BLOCK	LOT	ADDRESS	AMOUNT
2015	2	86 Hunters Lane	\$2,225.26
2021	32	134 Woodport Rd	\$2,070.14
4025	23	11 Crestwood Trl	\$3,831.84
32018	14	75 Hidden Glen Dr	\$3,674.43
29001	9	529 Glen Rd	\$2,160.86

9-2 Exempt Veteran Cancellation of Tax

WHEREAS, the property owner of Block 33002, Lot 33, is an exempt veteran in accordance with N.J.S.A 54:4-30.30;

WHEREAS, the Assessor approved the exemption as of the deed date of November 28, 2022,

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Sparta that the Tax Collector refund taxes in the amount of \$730.88 a pro-rated 4th quarter of 2022 and \$2,565.11 for 1st quarter of 2023. In addition, Tax Collector will cancel the 2023 first half taxes.

9-3 Resolution Authorizing the use of the Keystone Purchase Network for Various Contracts for Calendar Year 2023

WHEREAS, the Keystone Purchase Network advertised and received bids for various goods and services for the registered members of the Keystone Purchase Network; and

WHEREAS, the bid proposals included an option for the bidders to provide goods and/or services to other registered governmental contracting units without substitution or deviation from the bid specifications. The bidders have defined the purchasing terms within each individual contract; and

WHEREAS, various contracts were awarded contracts and the vendors have extended their pricing to the registered members of the Keystone Purchase Network, thereby affording the Township of Sparta the opportunity of direct purchase without the competitive bidding.

NOW, THEREFORE, BE IT RESOLVED that the Township of Sparta in the County of Sussex, State of New Jersey wishes to purchase off of multiple awarded contracts; and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute said contract and related contract documents; and

BE IT FURTHER RESOLVED that these contracts will be in effect from January 1, 2023 until December 31, 2023.

9-4 Resolution Authorizing the Use of the New Jersey State Contracts for Calendar Year 2023

WHEREAS, the State of New Jersey, Department of Treasury, Division of Purchase and Property, advertised and received bids for various goods and services for the governmental units within the State of New Jersey and were publicly received; and

WHEREAS, the bid proposal included an option for the bidder to provide goods and/or services to governmental contracting units without substitution or deviation from the bid specifications. The bidder has defined the purchasing terms within each individual contract; and

WHEREAS, various contracts were awarded contracts and have extended their pricing to governmental units within the State of New Jersey, thereby affording the Township of Sparta the opportunity of direct purchase without the competitive bidding.

NOW, THEREFORE, BE IT RESOLVED that the Township of Sparta in the County of Sussex, State of New Jersey wishes to purchase off of multiple awarded contracts.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute said contract and related contract documents; and

BE IT FURTHER RESOLVED that these contracts will be in effect from January 1, 2023 until December 31, 2023.

9-5 Resolution Authorizing the Use of a National Contract for the Department of Public Works Omnia Partners Cooperative

WHEREAS, City of Charlotte, State of North Carolina advertised and received bids for the purchase of auto parts and accessories, contract no. 2017000280, and was awarded on January 1, 2017 and received an authorized extension through to December 31, 2023, where US Communities, a National Cooperative Purchasing Program subsidiary of Omnia Partners purchasing Cooperative provides oversight and regular audits of the contract; and

WHEREAS, the bid proposal included an option for the bidder to provide goods and/or services to current and/or potential members including government, higher education, K 12 education, non-profits and all other public agencies located nationally without substitution or deviation from the bid specification; and

WHEREAS, Advance Auto Parts was listed as a qualified vendor and awarded the contract and have extended their pricing to registered members of US Communities/Omnia Partners, thereby affording the Township of Sparta the opportunity of direct purchase through Advance Auto Parts, without competitive bidding.

NOW, THEREFORE, BE IT RESOLVED that the Township of Sparta in the County of Sussex, State of New Jersey wishes to purchase OEM auto parts on an as needed basis; and.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute said contract and related contract documents; and

BE IT FURTHER RESOLVED that these contracts will be in effect from January 1, 2023 until December 31, 2023.

9-6 Resolution Authorizing the Use of the Sussex County Cooperative for Various Contracts for the Calendar Year 2023

WHEREAS, the Sussex County Cooperative advertised and received bids for various goods and services for the registered members of the Sussex County Cooperative and were publicly received by the Sussex County Bid Proposal Committee; and

WHEREAS, the bid proposal included an option for the bidder to provide goods and/or services to other registered governmental contracting units without substitution or deviation from the bid specifications and the bidder has defined the purchasing terms within each individual contract; and

WHEREAS, various contracts were awarded contracts and vendors have extended their pricing to registered members of the Sussex County Cooperative, thereby affording the Township of Sparta the opportunity of direct purchase without the competitive bidding.

NOW, THEREFORE, BE IT RESOLVED that the Township of Sparta in the County of Sussex, State of New Jersey wishes to purchase off of multiple awarded contracts.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute said contract and related contract documents; and

BE IT FURTHER RESOLVED that these contracts will be in effect from January 1, 2023 until December 31, 2023.

9-7 Resolution Authorizing the use of the Houston Galveston Area Council for Various Contracts for Calendar Year 2023

WHEREAS, the Houston Galveston Area Council advertised and received bids for various goods and services for the registered members of the Houston Galveston Area Council; and

WHEREAS, the bid proposals included an option for the bidders to provide goods and/or services to other registered governmental contracting units without substitution or deviation from the bid specifications. The bidders have defined the purchasing terms within each individual contract; and

WHEREAS, various contracts were awarded contracts and the vendors have extended their pricing to the registered members of the Houston Galveston Area Council, thereby affording the Township of Sparta the opportunity of direct purchase without the competitive bidding.

NOW, THEREFORE, BE IT RESOLVED that the Township of Sparta in the County of Sussex, State of New Jersey wishes to purchase off of multiple awarded contracts; and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute said contract and related contract documents; and

BE IT FURTHER RESOLVED that these contracts will be in effect from January 1, 2023 until December 31, 2023.

9-8 Resolution Authorizing the use of the Morris County Cooperative Pricing Council for Various Contracts for Calendar Year 2023

WHEREAS, the Morris County Cooperative Pricing Council advertised and received bids for various goods and services for the registered members of the Morris County Cooperative Pricing Council; and

WHEREAS, the bid proposals included an option for the bidders to provide goods and/or services to other registered governmental contracting units without substitution or deviation from the bid specifications. The bidders have defined the purchasing terms within each individual contract; and

WHEREAS, various contracts were awarded contracts and the vendors have extended their pricing to the registered members of the Morris County Cooperative Pricing Council, thereby

affording the Township of Sparta the opportunity of direct purchase without the competitive bidding.

NOW, THEREFORE, BE IT RESOLVED that the Township of Sparta in the County of Sussex, State of New Jersey wishes to purchase off of multiple awarded contracts; and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute said contract and related contract documents; and

BE IT FURTHER RESOLVED that these contracts will be in effect from January 1, 2023 until December 31, 2023.

9-9 Resolution Authorizing the use of the Somerset County Cooperative Pricing System for Various Contracts for Calendar Year 2023

WHEREAS, the Somerset County Cooperative Pricing System advertised and received bids for various goods and services for the registered members of the Somerset County Cooperative Pricing System and were publicly received; and

WHEREAS, the bid proposal included an option for the bidders to provide goods and/or services to other registered governmental contracting units without substitution or deviation from the bid specifications. The bidder has defined the purchasing terms within each individual contract; and

WHEREAS, various contracts were awarded contracts and have extended their pricing to the registered members of the Somerset County Cooperative Pricing System, thereby affording the Township of Sparta the opportunity of direct purchase without the competitive bidding.

NOW, THEREFORE, BE IT RESOLVED that the Township of Sparta in the County of Sussex, State of New Jersey wishes to purchase off of multiple awarded contracts; and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute said contract and related contract documents; and

BE IT FURTHER RESOLVED that these contracts will be in effect from January 1, 2023 until December 31, 2023.

9-10 Resolution Authorizing the use of the Educational Services Commission of New Jersey Cooperative Pricing System for Various Contracts for Calendar Year 2023

WHEREAS, the Educational Services Commission of New Jersey Cooperative Pricing System advertised and received bids for various goods and services for the registered members of the Educational Services Commission of New Jersey Cooperative Pricing System and were publicly received; and

WHEREAS, the bid proposals included an option for the bidders to provide goods and/or services to other registered governmental contracting units without substitution or deviation from the bid specifications. The bidders have defined the purchasing terms within each individual contract; and

WHEREAS, various contracts were awarded contracts and have extended their pricing to the registered members of the Educational Services Commission of New Jersey Cooperative Pricing System, thereby affording the Township of Sparta the opportunity of direct purchase without the competitive bidding.

NOW, THEREFORE, BE IT RESOLVED that the Township of Sparta in the County of Sussex, State of New Jersey wishes to purchase off of multiple awarded contracts; and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute said contract and related contract documents; and

BE IT FURTHER RESOLVED that these contracts will be in effect from January 1, 2023 until December 31, 2023.

9-11 Resolution Authorizing the Purchase of Propane for the Township of Sparta via State Contract for 2023

WHEREAS, the State of New Jersey advertised and awarded a contract for the purchase of propane for a period June 1, 2020 to May 13, 2025; and

WHEREAS, the bid proposal included an option for the bidder to provide goods and/or services to listed governmental contracting units within the State of New Jersey without substitution or deviation from the bid specification; and

WHEREAS, Suburban Propane was listed as a qualified vendor and awarded the contract and have extended their pricing to governmental agencies listed within the bid specifications, thereby affording the Township of Sparta the opportunity of direct purchase without the competitive bidding.

NOW, THEREFORE, BE IT RESOLVED that the Township of Sparta in the County of Sussex, State of New Jersey wishes to purchase propane on an as needed basis; and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute said contract and related contract documents; and

BE IT FURTHER RESOLVED that these contracts will be in effect until the contract term end.

9-12 Resolution authorizing the use of the Bergen County Cooperative Pricing System for Various Contracts for Calendar Year 2023

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Bergen, hereinafter referred to as the “Lead Agency” has offered voluntary participation in #CK04-BERGEN a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on January 1, 2023 the Township Council of the Township of Sparta, County of Sussex, State of New Jersey duly considered participating in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows: The Township of Sparta wishes to participate in a Cooperative Pricing System.

This resolution shall be known and may be cited as the #CK04-BERGEN Cooperative Pricing Resolution of the Township of Sparta. Pursuant to the provisions of N.J.S.A. 40A: 11-11(5), the Chief Financial Officer, Grant Rome, is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey

This resolution shall take effect immediately upon passage.

9-13 Professional Services Resolution – Health Services Consultant

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 Health Services Consultant; 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 for a one year term beginning January 1, 2023 and ending December 31, 2023:

Steven Levinson
Assurance Consulting Associates, LLC
76 Yacht Club Drive
Lake Hopatcong, NJ 07849

In an amount not to exceed \$39,138.00

2. Political Contribution Disclosure: This contract has been awarded to Steven Levinson. based on the merits and abilities of Steven Levinson 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 Assurance Consulting Associates, 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 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 interest.

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 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.

9-14 Resolution Authorizing Compliance with the United States’ Equal Employment Opportunity Commission’s Employment Decisions Under Title VII of the Civil Rights Act of 1964

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Township of Sparta hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

9-15 Resolution Authorizing a Shared Services Agreement between Sparta Township and the Township of Hardyston for A Qualified Chief Financial Officer

WHEREAS, the Township of Sparta wishes to enter into a shared Services Agreement with Hardyston Township in order to provide them with the services of a qualified Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Sparta authorizes the Mayor and Municipal Clerk to execute the Shared Services Agreement.

9-16 Resolution Approving the Submission of a Grant Application and Execution of a Grant Agreement with the NJ DCA Local Recreation Improvement Grant (LRIG) Program for FY2023

WHEREAS, the Township of Sparta desires to apply for and obtain a grant from the New Jersey Department of Community Affairs in an amount not to exceed \$100,000.00 to carry out a project to make improvements to the White Lake Fields recreational facility.

BE IT THEREFORE RESOLVED,

- 1) That the Township of Sparta does hereby authorize the application for such a grant; and,
- 2) Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Sparta and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

 (signature)
 Grant Rome

 (signature)
 Kathleen Chambers

 Chief Financial Officer
 (title)

 Township Clerk
 (title)

CERTIFICATION:

I, Kathleen Chambers, the Township Clerk of the Township of the Township of Sparta hereby certify that at a meeting of the Board of Directors / Governing Body held on January 10, 2023 the above RESOLUTION was duly adopted.

AFFIX GOV'T,
CORPORATE OR
NOTARY SEAL

Signature of Secretary of the Board of Directors or Govt. Clerk

Council Liaison Updates:

Councilwoman Quinn stated that the Senior Advisory Committee would be meeting on January 18th. She stated that all other meetings would be scheduled by the end of January with the exception of the Economic Development Committee.

Councilman Blumetti stated that the first Environmental Commission meeting of the year would be held on January 12th at 7 p.m.

Mayor Chiariello stated that the Cultural Affairs Committee had procured a commemorative bench that would be dedicated in the spring to former committee member Bernice Verwys. He stated also that the committee was responsible to setting up the summer concerts from June to September on Friday evenings. He stated also that the committee was given two weekends for which they were required to host the event on a Saturday and it was posing some problems in that the expenses were much higher to hold it on a Saturday.

A Cultural Affairs Committee member stated that the Friday night concerts have been very successful and they were using the same sound and lighting company at a good price. He stated that there were usually eight shows throughout the summer months and if they were moved to Saturday it would amount to a significant increase in price and Fridays were easier for the sound company and the scheduled artists. He stated also that getting the Mohawk Avenue School on a Saturday in case of inclement weather might also be an impediment.

Councilwoman Quinn stated that they needed a little more information before any decisions were made

Old Business:

Councilman Blumetti stated that some Planning Board appointments had not been made at the reorganization meeting.

Mayor Chiariello stated that there was still one open Class IV position and two open Alternate positions that needed to be filled on the Planning Board.

Councilwoman Quinn stated that if the Council was going to appoint someone this evening it should have been communicated to all Council members and she wanted to know who was being considered for appointment.

Mayor Chiariello stated that it had been conveyed that Council was going to look into it and make a decision at this meeting. He stated that the two previous alternate member's terms had expired at the end of December.

Councilwoman Quinn stated that she did not have a complete list of the current Planning Board members.

Mayor Chiariello stated that the Planning Board meets next week and they should start the year with a fully constituted board.

Councilman Blumetti made a motion to appoint Jeannette Burke as a Class IV member to the Planning Board. Deputy Mayor Clark seconded the motion.

Councilwoman Quinn stated that in reviewing Ms. Burke's application it stated that she is a realtor and she feels strongly that it puts both the realtor and the Planning Board in an awkward position because a lot of information that comes to the Planning Board is information that a realtor might otherwise not be aware of and would put the realtor in a compromising position.

Councilman Hertzberg stated that he didn't think conflicts were a concern right now.

Mayor Chiariello asked the Township Attorney if Ms. Burke would have access to information on the Planning Board that wouldn't be publicly available.

Mr. Ryan stated that he did not have an answer to that question and that it would have to be fact specific. Mr. Ryan stated that there could be executive sessions and legal advice that Ms. Burke would be privy to.

Deputy Mayor Clark stated that there have been people on the Planning Board who have been members of engineering consulting companies so he would think they would be privy to a lot of the same information that they could use for a variety of financial reasons. He stated that he didn't see where a realtor would stand in any kind of different position than an engineer. He stated also that there was no ordinance that states that if a person holds a certain position he or she would not be allowed to serve on the Planning Board.

Councilwoman Quinn stated that Council had to look at the best interests of the volunteers as well and many don't realize what they will be facing when they sit on the boards.

Councilman Hertzberg stated that he didn't know why the existing alternates hadn't been moved up into the Class IV positions like they were supposed to be.

Deputy Mayor Clark stated that the appointing authority is the Township Council according to the statute not the Planning Board.

Councilman Blumetti stated that he understood the concerns that Councilwoman Quinn raised, but he trusted Jeannette Burke to make decisions on a case by case basis as to whether or not she should recuse herself from certain applications if need be.

Mayor Chiariello stated that she could also step down from the position if she felt that she could not serve.

Councilwoman Quinn stated that she wanted to go on record that Council should be mindful of who the people are that they appoint to the Boards because law suits are expensive and board members appoint who the attorneys are going to be to represent those particular boards and currently one member of the Council is in direct litigation with both the Planning and Zoning Boards. She indicated further that the current board attorneys have successfully defended Sparta against that lawsuit and it's now on appeal and it was possible that those attorneys will not be reappointed. She stated that to say that there is no impropriety is outrageous and she did not think the best interests of the Township residents were being represented. Councilwoman Quinn indicated that she sees serious risks with this and didn't feel it was good government and the Council was putting the Township at significant risk.

Deputy Mayor Clark stated that what Councilwoman Quinn described was just a defense that an applicant could make if the Planning Board denies an application. He stated a lot of the defenses would have nothing to do with whether or not that Planning Board was appointed by some certain town councilman. He stated that people who practice in land use law would say the town will get sued if it denies an application of this magnitude and it was a given and one of the defenses may or may not be that the appointment of some of those Planning Board members were by someone who had litigation against it. Deputy Mayor Clark stated that it would probably be very far down in the brief and what would be first and foremost would be the facts and the law and how the Planning Board applied those and whether the application of those facts were arbitrary and capricious.

Councilwoman Quinn stated that she wanted to be clear that it was not about one particular application, but it was much bigger than that. She stated that any applicant, any resident and any

member of the Boards can bring litigation against the Town for this decision and she disagrees with this course of action.

The motion carried for the appointment of Jeannette Burke as a Class IV member to the Planning Board by the following roll call vote:

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

Councilwoman Quinn made a motion to appoint Joe Toscano as Alternate I and Jerry Murphy as Alternate II to the Planning Board. Councilman Hertzberg seconded the motion. The motion failed by the following roll call vote:

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

Councilman Blumetti made a motion to appoint Bill Enright as Alternate I and Justin Kanellis as Alternate II to the Planning Board. Deputy Mayor Clark seconded the motion. After discussion, the motion was amended by Councilman Blumetti to appoint Bill Enright and Justin Kanellis as alternates to the Planning Board. Deputy Mayor Clark seconded the motion and it was adopted by the following roll call vote:

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

Mayor Chiariello stated that according to the Sparta Township ordinance, paragraph 18-3.2A1, as Mayor he was naming Justin Kanellis as the 1st Alternate and Bill Enright as the 2nd Alternate.

Councilwoman Quinn stated that every year the Township did a drive to get people to sign up for the RAVE system and it was the way the Township could communicate during emergencies. She stated that it started out as Honeywell but has since switched to RAVE and people should sign up. She stated that the Township could not utilize the school's Honeywell data so anyone who signed up through the school's system should sign up separately for RAVE as well.

Councilwoman Quinn stated that she wanted to thank the Township and DPW staff for their support of the reverse advent calendar and it really benefitted the community and hopes to do it every year.

New Business:

Councilwoman Quinn stated that if the Council was going to talk about transparency, members needed to be transparent as well. She stated that Council members shouldn't be blindsided by appointments and if Council was going to be talking about something as significant as appointing board members, it should be an Agenda item, not something to be brought up in Old Business.

Mayor Chiariello stated that at the last Council meeting on Thursday there had been discussion about revisiting the Planning Board nominations after having clarified the status of the appointments that had been called into question.

Councilman Hertzberg asked if the whole Council had been aware of his findings.

Mayor Chiariello stated that he believed that the attorney had sent an email. Mr. Ryan stated that he had just sent Mayor Chiariello the email.

Councilman Hertzberg stated that usually the Mayor disseminates information to the rest of the Council members.

Mayor Chiariello stated that he hadn't noticed it and the Council had said that there would be discussions regarding Board members at this meeting. He stated also that the last Council had appointed Board members under Old Business so that it wasn't a new practice.

Councilman Blumetti stated that he was concerned about the resolution that had been adopted in December authorizing deer hunting on Township owned property. He stated that his concern was that the resolution as written was not detailed enough and wasn't fact driven and he wanted to look at ways to stop deer hunting for now and then approach it the right way by looking at what other towns were doing and what the State could offer in terms of data.

Councilman Hertzberg stated that the State is the one who determines how many permits can be issued in certain areas. He stated that the State sets all of that based on their data.

Councilman Blumetti stated that he thought that the permits were being issued by the police department.

Councilman Hertzberg stated that the police department was allowing people to hunt in certain areas but all permits come from the State based on the area where there is going to be hunting. He stated that the State would not allow permits in an area where they feel hunting should not be permitted and there are zones in which the State bases their studies and every property in Sparta falls within one of their zones.

Councilwoman Quinn stated that this was a past practice and former police chief Spidaletto had informed Council that there had been 91 deer collisions within Sparta Township this past year. She stated that it was also made conditional that there was proper posting of all of the zones.

Mayor Chiariello stated that the wording in the resolution was that permits had to be obtained at the police department.

Councilman Hertzberg stated that it was a permit from the town so that they know exactly who's going out.

Deputy Mayor Clark stated that the issue to him was how can the Council assure itself that those parcels are suitable for hunting based upon the guidelines that the State has set down.

After further discussion, Mayor Chiariello stated that the Township should avail itself of the State free deer control assessment and then after identifying the lots that meet the criteria set forth by the State, he would like to bring residents in who's properties would be adjacent to the Township parcel for their input and opinions. He indicated that was the type of rigor he wanted to see applied.

Mr. Rome stated that all hunters had to comply with the NJ Fish and Wildlife rules and they must be 450 feet from any dwelling and any roadway. He stated that the township engineer could draw maps out as to where hunting is permitted and the police department could disseminate it to hunters when they pick up their permits.

Mayor Chiariello stated that the people who own property surrounding the lot should be notified as well.

Councilman Blumetti stated that as a Township it has the ability to limit hunting because this is a residential town.

Mayor Chiariello stated that at a future meeting there would be a resolution to provide more clarity regarding deer hunting on township owned property.

Mayor Chiariello stated that two alternate members to the Zoning Board had been appointed at the last meeting, Megan Struble and Celeste Luciano, and they are not able to serve. He stated that two more appointments would need to be made and he encouraged anyone who was interested in serving to fill out an application.

Mayor Chiariello stated that a water study had been requested and the next step would be to bring in the water superintendent to speak to the issues concerning the pump stations at Germany Flats.

Mr. Rome stated that it would probably be Mr. Spaldi or Mr. Haack.

Mayor Chiariello stated that Ordinance 22-14 was a weight restriction ordinance for North Shore Trail. He stated that Council had discussed rescinding the ordinance because it was conflicting with another part of the Township ordinances. He stated that an ordinance should be prepared rescinding Ordinance 22-14 for a future meeting.

Mayor Chiariello stated that Ordinance 22-17 had been voted down at a prior meeting. He stated that Council had agreed that there needed to be more discussion concerning the construction of a salt shed and he would like to have the ordinance reintroduced and have Mr. Zepp come to speak with Council concerning the project.

Mr. Rome stated that it could be on the Agenda for the last meeting of the month and the bonding attorney could redo the ordinance and also along with each ordinance there would be a corresponding resolution to allow the township to establish an amended capital budget for the ordinance that is put in place.

In response to a question by Mayor Chiariello, Mr. Ryan stated that Council might want to bring Mr. Zepp in to have a discussion with him before the bond ordinance was introduced so it could be determined what kind of detail Council would want in the ordinance.

Mr. Rome stated that Mr. Haack should be there as well because it would be constructed by a company that builds salt sheds and Mr. Haack would be the one going to review all of the specs.

Mayor Chiariello stated that he had learned that AARP did offer a senior advisory committee age friendly designation and asked Councilwoman Quinn and Councilman Hertzberg to bring it up at the Senior Advisory Committee meeting.

Mayor Chiariello stated that nominations to the Economic Development Committee had been tabled at the reorganization meeting. He stated that he would like to have on the Agenda for the January 24th meeting an open discussion for changing the scope of the committee and that he wanted the public to come with ideas, Council would collect them, and the committee would be reconstituted with new members.

Mayor Chiariello stated that he wanted Council to have future discussions of gathering public feedback on different items such as further promoting transparency, live streaming the Council meetings and having advanced notice of the meeting agendas. He asked people to come with ideas and Council would collect them and develop a policy.

Open to the Public:

Barbara Gomes, Links Court, asked how to sign up for the RAVE system.

Councilwoman Quinn stated that she could go to the Township website and there is a pull-down menu and she could sign up from there. She indicated that the RAVE system was for business owners as well.

Sally Larson, 56 Mt. Spring Drive stated that she had just signed up for the RAVE system and it was very easy.

Beth Broderick, 18 North Shore Trail addressed Council and asked if there was going to be a residential drug and alcohol facility at 350 Sparta Avenue.

Tom Eisenberg, 28 Sussex Mills Road, stated that the owner of 350 Sparta Avenue was going to turn the buildings into a drug/alcohol sober living half way facility. He stated that he thought that the application was before the Zoning Board for a variance. Mr. Eisenberg stated that he thought it was a bad idea.

Councilman Hertzberg stated that it was discovered that this person was operating a facility in private neighborhoods and the State allowed him to do it without any notification, regulations, or authorization from the township. He stated further that the State had backed down when it was challenged and now the Township had started proceedings against the owner for violating the Township's zoning laws. Councilman Hertzberg indicated that the operator is now looking for a new place to move the residents and 350 Sparta Avenue was where he was looking to relocate.

In response to a question by Mr. Eisenberg, Councilman Hertzberg stated that the Council could not weigh in on zoning issues because it's a separate statutory board, but he knew that they are aware of the situation.

Mr. Eisenberg stated also that he felt that Councilman Hertzberg was in tune with the business people in town and Council members should be fair and make sure that he was included in any decisions that they make with regard to the Economic Development Committee.

Mr. Eisenberg also asked if an ordinance could be drafted that would exclude rehab facilities in the Township.

Mr. Ryan stated that there were laws prohibiting towns from discriminating against these facilities but they do have to comply with the township's local land use laws and the Code Enforcement Officer could monitor it to ensure that they are in compliance with the Township's current zoning laws.

Deputy Mayor Clark stated that he felt that it was going to be really incumbent on the Township's zoning officials to look at the law and have them comply to the letter of it. He stated that the State has strict regulations on the sober houses and that it was a balancing act of trying to help people who are in recovery and protect the needs of the residents who move into the neighborhoods where a business is essentially being allowed to operate.

Councilman Hertzberg asked Mr. Rome to follow up with the local prosecutor because he was supposed to be getting subpoenas together to find out how long the operator would be operating so the town would know how large the fines would be.

Rick Finkle, 13 Hayward Road, stated that his concern was how many sober living facilities are there.

Councilman Hertzberg stated that there were five and his understanding is that one was closed. He stated that the Township was not notified because the State allows them to skip the Township's process and get their construction permits directly from them.

Vivian Perlmutter addressed Council and stated that Tap Into Sparta indicated that there was a hearing scheduled for tomorrow on the 350 Sparta Avenue issue before the Zoning Board but she looked at the Zoning Board agenda this morning and it said that it had been postponed.

Mayor Chiariello stated that it was possible that it would be postponed because the Zoning Board needs to have their reorganization meeting.

Jenny Dericks, Tap Into Sparta, stated that the Zoning Board was holding their reorganization meeting but then the 350 Sparta Avenue issue would also be discussed.

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

Adjournment:

No one else wished to be heard and no further business was brought up, motion was made by Councilman Blumetti, seconded by Deputy Mayor Clark and unanimously carried to adjourn at 9:40 p.m.

Respectfully submitted

Roxanne Landy, RMC
Assistant Municipal Clerk