

January 24, 2023

The meeting was called to order at 6:30 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, Councilwoman Quinn, Interim Township Manager/CFO Grant Rome, Township Attorney Thomas Ryan, and Assistant Township Clerk Roxanne Landy. Councilman Blumetti and Councilman Hertzberg were absent.

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

On motion by Deputy Mayor Clark, seconded by Councilwoman Quinn and unanimously carried, the following resolution was duly adopted:

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Sparta, County of Sussex, State of New Jersey, as follows:

1. The public shall be excluded from discussion of an action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:
  - a. Personnel
  - b. Litigation
  - c. Contract Negotiations
  - d. Miscellaneous Legal Advice

It is anticipated at this time that the above stated subject matter will be made public when deemed appropriate.

This resolution shall take effect immediately.

On motion by Councilwoman Quinn, seconded by Deputy Mayor Clark and unanimously carried, Council reconvened into public session at 7:22 p.m.

Mayor Chiariello called for a recess at this time.

Council reconvened at 7:30 p.m.

**Salute to the Flag:**

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

**Minutes:**

Due to two Council members being absent, Township Attorney Tom Ryan advised Council that the minutes could be approved with only two votes in the event that one member abstained.

Councilwoman Quinn made a motion to approve the executive session minutes held on October 25, 2022. Mayor Chiariello seconded the motion. Mayor Chiariello stated that he had a comment regarding the minutes that he had shared with the Township Clerk and did not feel that he could express his comment publicly.

Township Attorney Ryan stated that the minutes could be tabled and discussed in a future executive session.

Councilwoman Quinn indicated that she was withdrawing her motion.

On motion by Councilwoman Quinn, seconded by Mayor Chiariello and carried, approval of the executive session minutes held on October 25, 2022 was tabled. Deputy Mayor Clark abstained.

On motion by Councilwoman Quinn, seconded by Mayor Chiariello and carried, the executive session minutes held on December 13, 2022 were approved as presented. Deputy Mayor Clark abstained.

On motion by Councilwoman Quinn, seconded by Mayor Chiariello and carried, the regular meeting minutes held on December 13, 2022 were approved as presented. Deputy Mayor Clark abstained.

### **Manager's Report:**

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

### **REGULAR SESSION / ITEMS:**

- **2023 Dog & Cat License Renewal:**

Just a reminder that licenses must be renewed between January 2 through 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 Updates: Highlights**

- The Road Department has been busy working with a company replacing damaged guardrails on White Lake Road, East Mountain Road and West Mountain Road. They also have repaired and replaced a couple of damaged street signs.
- The Public Works Mechanic Division hired a new mechanic at the beginning of the year which brings the Fleet Division to full staff.
- The 2023 Christmas tree collection ended on January 16<sup>th</sup>. The decorations on the street lights around Town were taken down for the season and flags replaced with seasonal banners.

- **Tax Collection Updates:**

- Close to 7,000 trash bills were printed, stuffed and mailed out the end of last week. Residents are in receipt of the bills.

- **Parks and Recreation Department**

- The department is finalizing plans for the Winter Carnival on February 4<sup>th</sup>. Our main attraction will be an illusionist. Many of the groups who have participated in the past are returning.
- The department is preparing information for the day camp this summer. Registration begins on March 1<sup>st</sup> for residents.

- **IT Department**

- The new township website will be going live on 1/24/2023. More information will be forthcoming after the launch.
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- The Edmunds software application will be migrated to the cloud on February 13, 2023

### **Planning/Zoning Department**

1. All Commission meeting minutes are being reviewed and uploaded to the new website for transparency. Kim Noel is the new Commission Chair and has been instrumental in getting this done and is already planning events for Sparta Day and Earth Day to bring awareness to environmental issues
2. 10 logged complaints (since Jan 1). 7 Courts cases are still pending for violations (from last year).
3. 18 Zoning applications
4. We are currently booking Planning/Zoning applications into March.

- **Police Department:**

### **Vehicles**

Three new vehicles have arrived and completed outfitting for our patrol line. Vehicles had taken a much longer time to receive from the manufacture and to be outfitted due to the continued issues with production and supply. These vehicles will be vital to our vehicle fleet to replace aging patrol vehicles with high mileage.

### **Security**

PMC is expected to start upgrades throughout for new camera systems, access doors, and intercoms. These security upgrades will allow for better coverage for both the interior and exterior of the whole municipal building. It is funded through the LEAP Grant.

### **OEM Report**

While we are currently experiencing milder temperatures, 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 at any time or our Sparta Library 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, and other important winter related safety tips. · Test all smoke and carbon monoxide detectors in the house and ensure they are operating properly. If you have a fire hydrant near your home, ensure all snow is cleared at least 3 feet away from it for easy access in an emergency. It is also important that the number on your home is visible from the street to assist emergency responders with finding your address.

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

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

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

Joe Giroux, 3 Arrowhead Trail addressed Council and stated that he wanted to make sure that the Township and the Council were focused on economic development and that County and State aid were being leveraged. He also wanted to be certain that the Township was leveraging technology in order to bring in the right companies into the community.

Mayor Chiariello stated that later on in the meeting there would be a discussion regarding the Economic Development Committee.

Jenny Dericks, Tap Into Sparta, addressed Council and stated that she was pleased with the new Township website. She listed several meeting minutes from various Boards that had not yet been posted on the website.

Mayor Chiariello stated that content was still being loaded onto the new website and it would take a little bit of time.

Mr. Rome stated that the IT Director was happy to get the website up and running and things seemed to be going well.

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

### **Expenditures:**

On motion by Deputy Mayor Clark, seconded by Councilwoman Quinn and unanimously carried, expenditures dated January 11, 2023 in the amount of \$262,566.57 were approved as presented.

Deputy Mayor Clark had questions regarding the bill list dated January 24, 2023, namely Hunter Technologies and Protective Measures Company.

In response to his question regarding Hunter Technologies, Mr. Rome stated that the company had installed the Township's telephone system. He stated that with regard to Protective Measures Company he would have to look into it.

In response to a question by Deputy Mayor Clark concerning reimbursements for eye care and leased properties Mr. Rome stated that a lot of the retirees bring in their medical bills for reimbursement for eye care in accordance with their various contracts with the Township.

There being no further questions, on motion by Deputy Mayor Clark, seconded by Mayor Chiariello and unanimously carried, expenditures dated January 24, 2023 in the amount of \$7,188,009.42 were approved as presented.

### **Introduction of Ordinance:**

#### **23-01 An Ordinance Amending Article III, Meetings of Township Council, Section 2-3.2, Regular Meetings of the Municipal Code of the Township of Sparta**

On motion by Deputy Mayor Clark, seconded by Councilwoman Quinn the following resolution was duly adopted by roll call vote:

Deputy Mayor Clark – Yes  
Councilwoman Quinn - Yes

Mayor Chiariello – Yes

BE IT RESOLVED by the Township Council of the Township of Sparta that the following ordinance entitled: **An Ordinance Amending Article III, Meetings of Township Council, Section 2-3.2, Regular Meetings of the Municipal Code of the Township of Sparta** is hereby adopted on first reading and the same shall be considered for final passage at a meeting of the Township Council to be held on February 14, 2023 at 7:30 p.m. at the Municipal Building, 65 Main Street and the Township Clerk is authorized to publish notice of the introduction and final hearing according to law.

#### **23-02 An Ordinance Amending Chapter VII, "Traffic" of the Revised General Ordinances of the Township of Sparta, Amending Section 7-17, "Vehicle Over Designated Weight Excluded From Certain Streets"**

Councilwoman Quinn stated that she felt that it was important that there be a discussion with the Lake Mohawk Country Club since the ordinance pertains to one of their roads. She stated that the issue was with larger trucks and Council should reach out and give them notice in the event that they have any questions or concerns and give them an opportunity to be present at the hearing.

Mayor Chiariello stated that the nature of the ordinance was to correct an incongruity in the Township ordinances. He stated that there was an existing weight limit on the roadway and a different weight limit had been introduced last year thus creating a disparity in the existing ordinances. He stated that this ordinance would undo the action of the last ordinance and correct a mistake that had been made last year.

Councilwoman Quinn reiterated her request to send a letter to the Lake Mohawk Country Club to let them know that the Council would be taking action.

Deputy Mayor Clark stated that he thought that this had been brought to the Council's attention by a member of the Lake Mohawk committee who handles traffic and was an issue that they had discussed. He stated that this ordinance was simply to have consistency in the Township's ordinances.

Councilwoman Quinn stated that the issue had been brought forth by a citizen who lives on North Shore Trail, not by a committee. She stated that a letter should be sent to Lake Mohawk Country Club to let them know about the ordinance.

On motion by Deputy Mayor Clark, seconded by Councilwoman Quinn the following resolution was duly adopted by roll call vote:

Deputy Mayor Clark – Yes  
Councilwoman Quinn - Yes

Mayor Chiariello – Yes

BE IT RESOLVED by the Township Council of the Township of Sparta that the following ordinance entitled: **An Ordinance Amending Chapter VII, “Traffic” of the Revised General Ordinances of the Township of Sparta, Amending Section 7-17, “Vehicle Over Designated Weight Excluded From Certain Streets”** is hereby adopted on first reading and the same shall be considered for final passage at a meeting of the Township Council to be held on February 14, 2023 at 7:30 p.m. at the Municipal Building, 65 Main Street and the Township Clerk is authorized to publish notice of the introduction and final hearing according to law.

Robert Otto, 41 North Shore Trail, addressed Council and stated that he was confused by the codes and ordinances governing the roadways and felt that they needed to be reviewed and possibly tightened up.

Mr. Ryan asked Mr. Otto if his committee had reviewed the ordinance and if they could make recommendations as to changes to Chapter 7 of the code.

Mr. Otto stated that he couldn't speak as a committee member, but asked if the code could be cleaned up so there was some kind of logical order to it.

Mr. Ryan stated that the Township would need to identify what sections of the code needed to be addressed. He stated that an ordinance could then be introduced and adopted after a public hearing and that would change the municipal code.

Deputy Mayor Clark stated that it would be helpful to the Council if the Lake Mohawk committee would send its recommended changes to the ordinance and then Council, in consultation with Mr. Ryan, could figure out the parameters.

### **Open to the Public – Resolutions:**

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

### **Resolutions:**

Deputy Mayor Clark had a question regarding Resolution 9-5, Change Order No. 1 for White Lake Fields with Tomco Construction, Inc. He asked what the basis was for the change order.

Mr. Haack, Township Engineer, stated that the reasons were listed on the change order. He stated that the items listed were not included in the original plans when they were bid but are essential in order to make the project work. Mr. Haack gave examples of items that were deemed to be absolutely necessary, but were not included in the original bid spec.

Deputy Mayor Clark stated that a bid should reflect all items deemed to be essential and not rely on a change order.

Mr. Haack stated that the contractor had bid exactly what had been requested in the proposal as he should have. He stated that there were things that had not been included in the original bid spec.

Deputy Mayor Clark stated that the onus would be on the person who wrote the bid spec to come up with what would be deemed essential so that the bid would reflect what the cost would be to complete the project.

Mr. Haack indicated that was correct and that he didn't expect there would be any more change orders needed.

There being no further questions, on motion by Councilwoman Quinn, seconded by Deputy Mayor Clark and unanimously carried, Resolutions 9-1 through 9-5 were duly adopted:

### **9-1 Appointment of Emergency Management Coordinator**

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Sparta that Jeffrey McCarrick be appointed as Emergency Management Coordinator for the Township of Sparta for a three-year term beginning January 1, 2023 and will expire on December 31, 2025.

### **9-2 Profession Services Resolution- Auditor 2022**

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:

Thomas M. Ferry, C.P.A., R.M.A. of  
Wielkotz & Company, LLC  
100 Enterprise Drive  
Suite 301, Room 333  
Rockaway, NJ 07866

In an amount not to exceed \$41,500.00

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

### **9-3 Quarry License to Braen Royalty LLC/Braenstone of Sparta**

WHEREAS, the Township Council of the Township of Sparta has adopted an ordinance to license and regulate the operation of quarrying in the Township of Sparta and to provide for penalties for the violation thereof; and

WHEREAS, Braen Royalty LLC/Braenstone of Sparta has submitted an application for such a license to the Township Council of the Township of Sparta as required by the aforementioned ordinance; and

WHEREAS, the professional staff of the Township of Sparta has had the opportunity to review the application and report on same to the Township Council of the Township of Sparta; and

WHEREAS, Braen Royalty LLC/Braenstone of Sparta has updated the information submitted during the previous application period; and

WHEREAS, Braen Royalty LLC/Braenstone of Sparta has submitted the required proof of insurance and reclamation surety in the form of a letter of credit; and

WHEREAS, the Township Council of the Township of Sparta is satisfied that the application meets the requirement of the Township's licensing Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Sparta that a license to operate a Quarry in the Township of Sparta be and is hereby issued to Braen Royalty LLC/Braenstone of Sparta pursuant to the terms of the Township of Sparta's Quarrying Ordinance and in conformity with the application submitted by Braen Royalty LLC/Braenstone of Sparta pursuant thereto.

This resolution shall take effect immediately.

### **9-4 Resolution Authorizing the Execution of the Inter-local Agreement Between the Township of Sparta, County of Sussex, State of New Jersey and Sussex County Municipal Utilities Authority for a Certified Recycling Professional (CRP) to Certify the 2022 Annual Recycling Tonnage Report**

Beginning 2013, each New Jersey municipality is required by the Recycling Enhancement Act (REA) to have mandatory Annual Recycling Tonnage Reports approved and "executed" by a

Certified Recycling Professional (hereinafter “CRP”). Recycling Tonnage Reports will be submitted by the SCMUA via email to the New Jersey Department of Environmental Protection (NJDEP) utilizing a spreadsheet compatible with the Microsoft Excel structure provided by the Department.

THIS AGREEMENT by and between The Township of Sparta, a municipal body politic having its offices at 65 Main St., Sparta, NJ, and the Sussex County Municipal Utilities Authority (SCMUA), Sussex County, NJ, a body corporate and body politic organized and operating pursuant to N.J.S.A. 40:14B-1 et seq. having its offices located at 34 South Route 94, NJ, 07848 (hereinafter SCMUA), is dated this 24<sup>th</sup> day of January, 2023.

WHEREAS, the Township of Sparta, by ordinance, has duly enacted a recycling plan for all recyclable materials as designated by the Sussex County District Solid Waste Management Plan and amendments thereto and:

WHEREAS, the Township of Sparta is desirous of retaining CRP services of the SCMUA for certification of said Annual Recycling Tonnage Report; and

WHEREAS, the award of this contract between the SCMUA and the Township of Sparta pursuant to N.J.S.A. Section 13:1E-99.14 and pursuant to N.J.S.A. Section 40A:11-5(2) is an exception to the bidding requirements as set forth in the “Local Public Contracts Law”;

NOW, THEREFORE, in consideration of the terms, conditions, mutual benefits and covenant hereinafter set forth, the Township of Sparta and the SCMUA make this agreement.

1. The Township of Sparta shall retain the services of the SCMUA for a CRP that will be responsible for executing the mandatory annual municipal recycling tonnage report, as provided in the Sussex County District Solid Waste Management Plan, and with the State NJDEP.
2. It is understood that the responsibility for the accuracy of all tonnage and materials reported lies with the municipal representative as the designated preparer of the Recycling Tonnage Report. The Township of Sparta designates the Recycling Coordinator or designated Representative as the preparer of the report. The Municipal report preparer is responsible for report verification should the NJDEP audit the report submittal.
3. The Township of Sparta shall be responsible to retain the appropriate documentation for five years in the event of a NJDEP field review/audit.
4. The Township of Sparta reserves the right to reasonably amend the terms of this Agreement by giving thirty (30) day written notification to the SCMUA of any changes thereto. The SCMUA reserves the right to terminate this Agreement if the amendment is unacceptable to the SCMUA.
5. The Township of Sparta shall pay an annual fee of \$300 to the SCMUA for the CRP's services. The Township of Sparta agrees to pay all invoices within thirty (30) days upon finalization of the report and submittal of voucher. Notwithstanding any other provision herein. The SCMUA's liability arising out of this agreement for any reason whatsoever, whether known or unknown shall never be greater than the annual fee.
6. This agreement is effective for calendar year 2023 (2022 Recycling Tonnage Report), and may be extended for future years, in yearly increments, upon the mutual consent of both parties.
7. This agreement is the entire agreement between The Township of Sparta and the SCMUA and supersedes all previous agreements and discussions. Any amendments hereto must be in writing and must be duly executed by both The Township of Sparta and the SCMUA to become effective.
8. This Agreement will be entirely performed within the State of New Jersey and it shall be construed in accordance with the laws thereof.

9. If any provision of this Agreement is determined by a court of competent jurisdiction to be illegal, void, ultravires, or unconstitutional, the remainder of this Agreement shall continue in full force and effect.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Sussex County Municipal Utilities Authority for their records.

IN WITNESS HERETO the parties hereto have set their hands of the proper public official as of the date and year first above written.

**9-5 Resolution Authorizing Contract Change Order No.1 for White Lake Fields with Tomco Construction, Inc.**

WHEREAS, the Township of Sparta approved a contract with Tomco Construction, Inc. to construct the White Lake Fields project (the "Contract"). The approved contract cost was \$2,181,171.01; and

WHEREAS, Tomco Construction has requested a change order in the amount of \$81,562.88 for additional work was requested by the Township Engineer and as detailed in Change Order No.1 (the "Change Order"). The Township Engineer has reviewed and approved the Change Order; and

WHEREAS, Tomco Construction, Inc. has also submitted a request for Payment No. 2 attached in the amount of \$227,426.97. The Township Engineer has reviewed and approved the payment.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Sparta that the Change Order proposed by the Township Engineer in the amount of \$81,562.88 is hereby approved; and

BE IT FURTHER RESOLVED the Interim Manager is authorized to sign the Change Order to be added to the account covering this project in accordance with the Township's standard payment policies; and

BE IT FURTHER RESOLVED that Payment No. 2 be made in the amount of \$227,426.97 to Tomco Construction, Inc., 22 Howard Blvd., Ste. 204, Mt. Arlington, NJ 07856 upon the Chief Financial Officer certifying that sufficient funds are available.

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.

**Council Liaison Updates:**

Councilwoman Quinn stated that she had spoken with Susan Egan and they needed to schedule a meeting and would follow up with her and Deputy Mayor Clark. She stated that normally a meeting with LMCC would occur quarterly and there should at least be two meetings scheduled for this year. Councilwoman Quinn stated that Council needed to get together with LMCC before the hearing of Ordinance 23-02 in two weeks in order to get all of the facts needed to go forward. She indicated also that Mr. Ryan, Mr. Rome and the Police Chief, or his traffic officer should be included as well.

Councilwoman Quinn stated that the Senior Advisory Committee had met this past week and one of the topics that came up was around senior hunger. She stated that it was a much bigger issue than a lot of people think about and Melanie Morter had given a great presentation regarding the topic. Councilwoman Quinn indicated that she would be working with the committee to get different institutions and organizations listed on the website where seniors could turn to get

important information and help. She also encouraged people to donate to the food pantries as much as they can.

Councilwoman Quinn stated that the Senior Advisory Committee was also working on the Senior Olympics. She stated that the County had also received eleven new busses that would increase the transport of seniors.

Councilwoman Quinn stated that the Senior Advisory Committee would also be nominating someone for the annual Older American award and she would be sharing information and giving updates.

Councilwoman Quinn stated that another issue that was brought up at the meeting was the lack of senior housing within the Township. She stated that Sparta was losing seniors because there were no options for them if they are no longer able to maintain their homes. She stated also that she would be looking into what the plans for Knoll View are now that it will be closing.

Deputy Mayor Clark stated that he agreed that Council needed to meet with LMCC prior to the discussion of the ordinance and he thought that the discussion could be limited to the ordinance and another meeting could be scheduled as part of the quarterly meetings that would normally be held. He stated that he had attended the Board of Trustees meeting at Lake Mohawk and it was the most well attended meeting that they have had. He indicated that he had made clear that if they had issues that the Township could assist them with, they should attend a meeting and share it with Council.

Deputy Mayor Clark stated that he had attended the recent school board meeting and Mr. Morris had mentioned that there needed to be a meeting between school board members and members of Council. He stated that Sparta was very blessed to have great teachers in the district. He stated that he had a concern over a motion that had been made to stop live streaming the meetings and the motion ended up being tabled.

Mayor Chiariello stated that the Cultural Affairs Committee was still concerned about the two Saturday concert dates and thus far there has been no resolution. He stated that he had referred the committee members to the Recreation Director to see if something could be worked out. He stated that the committee meets on the first Wednesday of the month.

Mayor Chiariello stated that the Library Board of Trustees had met and Sparta has a fantastic library and residents should avail themselves of all of the services that it provides.

Mayor Chiariello stated that he was meeting later in the week with the Board of Education along with a couple of representatives from the student government to discuss the possibility of some kind of program where the Council can partner with the high school.

Councilwoman Quinn stated that there is a current program called Council in the Classroom at the high school and that it has been in existence for a few years now.

Deputy Mayor Clark stated that he was also a liaison to the County and he would be attending a meeting on Thursday where a high school student who was working on a project involving turning 50 miles of abandoned rail lines into trails would be making a presentation to the commissioners.

### **Old Business:**

Mayor Chiariello stated that there were two vacancies for Alternates on the Zoning Board. He stated that a number of applications had been submitted over the past two weeks and he wanted to make sure that Council has the opportunity to consider all of the applicants.

Councilwoman Quinn stated that Council needed to be sure that there were actually two vacancies. She stated that she wasn't sure whether or not the person who held the seat had formally resigned. She stated also that there were residents who had put in applications in 2021 and those names should be considered as well and not just recent applications.

Mayor Chiariello stated that the DPW Director, Jim Zepp, was available to give Council a more in-depth discussion concerning the need for a salt shed. He stated that last year an ordinance had been on the Agenda for the building of a salt shed that had not passed due to lack of information.

Mr. Zepp stated that he and his crew appreciated the support of the Township Council and he invited them to tour the DPW complex. He discussed the capacity and condition of the current salt dome at the DPW and his reasons for needing to expand the capacity by building a salt barn that would hold 10,000 tons. He stated that he had looked into leasing space from the County because they have a dome in Lafayette and an agreement had been worked out where they would store 2000 tons for the town. Mr. Zepp indicated that the County is not happy with the current arrangement.

Mr. Zepp indicated that right now the township's average salt use is about 4500 tons and in a bad year it would be up to around 7000 tons. He further discussed the dimensions of the proposed salt barn and that a lean to alongside the building would be included in the plans in order to store equipment. He discussed the Township's growth and the amount of roadways that the DPW was responsible for clearing.

Mr. Zepp stated that he had had discussions with Mr. Rome concerning the project and Mr. Rome had indicated that a project like this would be a good debt to take on. In response to a question by Mayor Chiariello as to what was driving the cost to build the barn, Mr. Zepp stated that it was prevailing wage. He stated that he does as much as he can in house, but his crew can't build a salt barn. Mr. Zepp indicated he thought that he and the Township Engineer had put together a good bid spec.

In response to a question by Deputy Mayor Clark, Mr. Zepp stated that the current facility holds 1500 tons and the County facility was insurance in the event there were times when he was not able to get salt.

Discussions centered on why there was a need for a large salt barn and Mr. Zepp gave a number of reasons one of which was that it was a prudent investment and Mr. Rome had indicated that the timing was appropriate. He asked the members of Council to go to the DPW to see the facility and look at the investments that have already been made.

Deputy Mayor Clark stated that some towns are moving away from salt use because of environmental issues and that going forward salt may not be the preeminent source of deicing roadways.

Mr. Zepp stated that salt has always been the primary means for roadways and is still the best option. He stated also that Sparta residents expect the roadways to be cleared during the winter months and that if in the future salt was no longer being used on roadways, the barn could be turned into a storage facility.

Councilwoman Quinn stated that she has always been impressed with the way the DPW is run under Mr. Zepp's leadership. She indicated that Mr. Zepp has always made sure that a request was scrutinized to make sure that the Township would be getting the best price available. She stated that she has seen the existing salt shed and knows that it needs to be replaced and she also remembered a time when the Township had trouble finding salt during a winter storm and the town needs to plan for the eventuality of a hard winter.

Mr. Zepp stated that Mr. Rome had created a snow trust fund whereby during mild winters, money is carried over to the trust fund to be able to use when costs are more expensive.

Mr. Zepp also clarified that Protective Measures is a company who is vetted through the co-op and he uses them for all of the security alarm work on all of the buildings and they are also the fire suppression system company. He stated that both systems have to be inspected annually under ordinance and sometimes repairs are required as well.

Council thanked Mr. Zepp for his presentation.

Mayor Chiariello stated that there needed to be a discussion regarding the Economic Development Committee. He stated that he wanted to open the meeting up to the public for any suggestions on what the scope of an Economic Development Committee should be.

No one from the public came forward and Mayor Chiariello asked for comments from the Council.

Councilwoman Quinn stated that she had looked through the documentation that had been provided as to what the ordinances are for EDC's in Lafayette, Newton, Hardyston and Byram. She stated that she wanted to table the discussion until Councilman Hertzberg is present since he has been the liaison to the committee. She stated that the late Janice Stevens had been the secretary to the committee for decades and her understanding is that Janice had worked up, in conjunction with the EDC, new objectives and goals and she wanted to see where Janice was going with her thoughts since she had been an integral part of the committee for a long time.

Councilwoman Quinn proposed tabling the discussions until IT could get the documents that had originally been compiled by Janice Stevens and that Councilman Hertzberg be present since he had been the committee's liaison.

Mayor Chiariello stated that he believed that to be fair and Councilman Hertzberg's input should be heard as well.

Deputy Mayor Clark stated that he agreed that obtaining Ms. Steven's objectives and goals would be helpful. He stated that he has noticed vacant properties in town and they seem to be prime locations and wanted to find out why they are sitting empty for a number of years. He stated that he agreed that the discussion should be tabled until Councilman Hertzberg is present.

Mayor Chiariello stated that Sussex County Chamber of Commerce had shared with the Council model ordinances for the Economic Development Committees for the aforementioned towns. He indicated that the Chamber is an advocacy group for businesses in the County and Sparta has its own chapter as well. He stated that he felt that the committee should focus on policy and administrative work and not necessarily advocacy.

Councilwoman Quinn stated that during the pandemic, the EDC had allowed the Township to get the input that it needed directly from the businesses as to the help they needed in order to survive. She stated that one of the key elements was to have a direct sounding board that allows the Township to act quickly and plan.

On motion by Councilwoman Quinn, seconded by Deputy Mayor Clark and unanimously carried, discussions concerning the Economic Development Committee were tabled.

Mayor Chiarello stated that he wanted to get input from the community, as well as the Council regarding deer hunting on Township owned property. Mayor Chiariello opened the meeting to the public for discussion.

Jenny Dericks, 27 Mt. Pleasant Road addressed Council and stated that she had spoken with the Chief of Police who stated that the resolution could have some more guidance included in it. She stated that while it was true that the State establishes the overall hunting regulations, the number of permits issued in Sparta could be limited and that Sparta residents could be offered the first opportunity. Ms. Dericks stated that there were significant numbers of public lands, but only a certain number of those lands would qualify for hunting purposes and the Council, along with the community could then decide what properties could have hunting take place. She stated that other options could include limiting the type of weaponry used.

Councilwoman Quinn stated that the State limits what type of weapons can be used during certain times of the year.

Ms. Dericks stated that the Township would have the option to tighten up the State rules as it deems appropriate for the properties available.

Councilwoman Quinn stated that she wanted to be clear that they were not talking about allowing hunting in the parks.

Kathy Ebbinkhuysen, Scudders Road addressed Council and asked if it would be possible to post online those properties that would be allowed for hunting purposes and physically post signs on the properties.

No one else from the public had any comments.

Councilwoman Quinn stated that she wanted to see what the old legislation is around properties that the Township had allowed hunting on in order to see what was done in the past. She asked about the current ordinance involving hunting.

Mr. Ryan stated that there was an ordinance that had been adopted last year, however, he did not believe it had been implemented.

Mr. Rome stated that the ordinance had no limitations on it, but there were no specifications as to where and how hunting could occur.

Mr. Ryan stated that hunters needed to obtain a local permit and no permits have been issued at this time.

Councilwoman Quinn stated that Council needed to take a look at the properties in question. She stated that only a certain number of Township owned properties were being considered and there needed to be further discussions.

Deputy Mayor Clark stated that it would be helpful to know what properties are being considered and whether restrictions above and beyond what the State requires would be necessary. He stated that the Township would be taking on liability for hunting on its properties and wanted to limit any risk exposure to the Township.

Councilwoman Quinn suggested that the Risk Manager for the Township should be consulted to find out how the Township managed it in the past.

Mayor Chiariello stated that he had real reservations and concerns about putting through ordinances and other policy changes that were not well thought out. He stated that right now the Council did not even know what properties were involved and were not posted. He stated further that it should be studied further before the Township commits to allowing hunting on its properties.

Mayor Chiariello stated that he also had concerns regarding neighboring properties. He stated that when there is a change of land use for any property in the Township, that person is required to come before the Boards and he believed that hunting would be a significant change to use of the land that the Township owns and anybody within a 200-foot radius of the property should be notified. He stated that the Township needed to avail itself of more than just hunting in order to control the deer population. He indicated that the DEP does offer to Townships a free assessment of deer controls and the town should take advantage of that program. He indicated also that hunters needed to be fully apprised of where the boundaries of the properties were before they start hunting.

Mayor Chiariello made a motion to pause any new hunting permits on Township owned land in order to allow the Council to further study the issue and make appropriate guidelines. Deputy Mayor Clark seconded the motion.

In response to a question by Councilwoman Quinn, Mr. Ryan stated that the current Township ordinance requires an individual who hunts on municipal property to have a permit from the municipality. He stated that if the permitting process is paused, a person would not be permitted to hunt on municipal owned property.

Councilwoman Quinn stated that she wanted to have some timely decision made on this issue so that it doesn't drag on while they wait to get information.

Deputy Mayor Clark stated that he shared Councilwoman Quinn's concerns and wanted to get it resolved before the fall season. He stated that he also wanted to get it done with forethought and analysis.

The motion was adopted by the following roll call vote:

Deputy Mayor Clark – Yes	Mayor Chiariello - Yes
Councilwoman Quinn - No	

Councilwoman Quinn made a motion to halt the permitting process to hunt on Township owned property until August 15, 2023. There was no second to the motion and the motion failed.

**New Business:**

Councilwoman Quinn stated that the Salute 07871 committee should be remanded to the purview of the VFW in order to allow them to receive funding directly. She stated that the Township could have liaisons to the committee and she needed to know what the process would be to accomplish that.

Mr. Ryan stated that he was unsure whether or not the Council had adopted a resolution or ordinance with regard to the committee.

Councilwoman Quinn stated that there had been a resolution. Mr. Ryan stated that the action taken would need to be modified and if the intention was to cease the committee under the auspices of the Township, then the committee would be terminated and it would be up to the VFW to undertake that cause. He stated that the Township would have no control at that point and an ordinance would need to be adopted in order for the Township to accept donations unless the VFW will be doing the work independent of the Township.

Mr. Rome stated that for the Township to take in any monies an ordinance would need to be put in place, or it could be done with a dedication by rider.

Mr. Ryan stated that he felt there would need to be an ordinance in place to accept any donations. He stated also that if the Township was going to pay for everything out of the general treasury, the committee could be set up and the Council would fund it through the regular budgeting process. He stated that if there was going to be fund raising and contributions, then an ordinance would need to be adopted in order to accept those donations.

Councilwoman Quinn stated that appointments to this committee had been tabled previously and asked that it stay tabled until she, Councilman Hertzberg and Commander Litchfield have had a chance to discuss a way forward.

Mayor Chiariello stated that the committee had been formed by resolution in March 2019 and there had been concerns about contributions to a private entity. He stated that it had been crafted in such a way so that it was not a fund-raising committee.

Councilwoman Quinn characterized the committee as a hybrid and wanted to make sure that it wouldn't be compromised in any way because of all of the great work that it does.

Mayor Chiariello stated that the committee was formed with a specific scope and it had to adhere to that scope. He went over the five different scopes outlined in the resolution.

Councilwoman Quinn stated that everything that the committee has done, including the Hometown Hero initiative, fell within the scope of the resolution.

Mayor Chiariello stated that he disagreed with Councilwoman Quinn's characterization because fundraising was not part of the scope of the formation of the committee. He stated that his understanding is that members would not be appointed at this time until a path forward could be determined.

Councilwoman Quinn agreed that members would not be appointed at this time.

Deputy Mayor Clark stated that he wanted to be certain that Council was acting within the resolution that was adopted and the resolution may need to be changed because the committee has new initiatives or the current initiatives don't fall within the scope of the original resolution. He stated further that if it was operating within the scope of the resolution, he was unclear as to why the committee would need to be under the auspices of the VFW. He stated that it needed to be made clear and perhaps it would be better for the township not to be involved at all and turn everything over to the VFW because they know how best to support the veterans.

Councilwoman Quinn stated that the VFW had no involvement in the formation of the committee and she would follow up with Mr. Rome as to his recommendations for a path forward.

Mayor Chiariello stated that he had been approached by the Historical Society to have a stronger engagement with them and felt that a Council liaison should be appointed to it.

Mr. Ryan stated that it would be better to have a written resolution to appoint a liaison.

Mayor Chiariello asked that one be prepared for the next Council meeting.

Mayor Chiariello stated that there was an activity underway at the State level to have a New Jersey State mineral named as Franklinite. He stated that if the bill were to pass, NJ would have a state mineral. He stated that the Historical Society was behind the measure, as is a number of other organizations and they have asked for Sparta's support. He stated that he would like a resolution on the Agenda to support Franklinite as the state mineral.

Councilwoman Quinn suggested reaching out to the County to see if they already have a resolution crafted rather than each municipality crafting their own.

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

Vivian Perlmutter, Morgan Drive, addressed Council concerning the EDC. She stated that she hoped when the committee is reorganized that they will meet in the evenings, or at least have a recording of the meetings so that people can watch it later.

Mayor Chiariello stated that he agreed with that it should be during a time when the public can participate.

Councilwoman Quinn stated that the EDC was an advisory committee and therefore could take no action on their own. She stated that any action would have to be brought before the Council so, therefore, the public would be aware of any policy decisions before they are made.

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

Mayor Chiariello stated that a discussion regarding the EDC would occur at a future meeting.

Mayor Chiariello stated that there would also be future discussions on how to increase transparency in the Township and making meetings more accessible.

Councilwoman Quinn inquired as to whether the equipment had been ordered and stated that she didn't see any reason why the Council meetings couldn't be streamed and people can also listen to them on YouTube.

Deputy Mayor Clark stated that he wanted to be certain that the equipment would not require any additional staffing to operate it.

**Adjournment:**

No one else wished to be heard and no further business was brought up, motion was made by Deputy Mayor Clark, seconded by Councilwoman Quinn and unanimously carried to adjourn at 9:52 p.m.

Respectfully submitted

Roxanne Landy, RMC  
Assistant Municipal Clerk