

February 14, 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, Councilwoman Quinn, Councilman Blumetti, Interim Township Manager/CFO Grant Rome, Acting Township Attorney Anthony Bolcato, and Assistant Township Clerk Roxanne Landy. Councilman Hertzberg was absent.

Salute to the Flag:

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

Proclamation – Black History Month:

Mayor Chiariello read a proclamation commemorating the month of February as Black History Month and invited all residents of the community to renew their commitment to ensuring racial equality, understanding and justice for all for every person regardless of race, creed, or religious preference creating a world that is more just, peaceful and prosperous for all.

Charles Boddy, President of the Sussex-Warren Chapter of the NAACP accepted the proclamation and thanked Council for honoring the achievements of people of African descent. He stated that it wasn't long ago that African-Americans were legally excluded from so many aspects of American life and it hasn't been an easy struggle. He stated that declaring February as Black History Month honored people who came before while also honoring people who continue the struggle today. He stated that he wanted to challenge everyone to take this Black History Month and think about which side of history he or she will stand on and make a commitment not to look the other way and speak up when they see injustices.

Resolution:

Mayor Chiariello asked that **Resolution 9-1 Supporting the Designation of “Franklinite” as the Official Mineral of the State of New Jersey** be voted on at this time.

Mayor Chiariello opened the meeting to the public for comments on the resolution.

There being none, this portion of the meeting was closed.

Councilman Blumetti stated that he supported the resolution and it provided a lot of history regarding the area.

On motion by Councilwoman Quinn, seconded by Deputy Mayor Clark and unanimously carried Resolution 9-1 was duly adopted:

9-1 Resolution Supporting the Designation of “Franklinite” as the Official Mineral of the State of New Jersey

WHEREAS, New Jersey has a long history of mineral mining, including two world-famous zinc mines in Sussex County, at Franklin and at Ogdensburg; and

WHEREAS, in 1968, the New Jersey Legislature passed a Resolution declaring our neighbor, the Borough of Franklin, the “Fluorescent Mineral Capital of the World”; and

WHEREAS, in order to pay recognition to the scientific, economic, and historic importance of Franklinite, it is fitting and appropriate to designate Franklinite as the official mineral of the State of New Jersey; and

WHEREAS, we strongly support “Franklinite for New Jersey State Mineral.” This Bill, S1727, unanimously passed the NJ Senate on October 17, 2022 and the identical Bill is in the Assembly, Bill A3393. This Bill designates franklinite as official mineral of the State of New Jersey.

WHEREAS, the mineral has unique properties that are found almost exclusively here in Sussex County, in the Franklin area; the mineral has made the area world-famous; through a NJ DEP poll Franklinite has been recognized as the best representative of NJ minerals; has a main element of zinc which has strengthened America’s economy along with iron, that has helped us in the Revolutionary War and the 1800s; and has brought immigrants and livelihood to the State over the last 150 years.”

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Sparta, Sussex County, New Jersey, Sparta Township hereby supports Bill No. S-1727 and identical Bill A3393 in the Assembly designating “Franklinite” as the official mineral of the State of New Jersey and urges our State Legislators and our Governor to support this legislation for the reason expressed herein.

A copy of this Resolution shall be placed on file with the Clerk of the Township.

Copies of this Resolution shall be sent to Sparta Township’s representatives in the New Jersey Legislature, and a copy shall be sent to the Governor of the State of New Jersey.

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.

Presentation:

Mr. William Kroth, President of the Sterling Hill Mining Museum gave a presentation regarding the Franklinite mineral. He gave a brief summary of what constitutes a mineral and he stated that in the Franklin area minerals have made the area world famous because of the fluorescents and Franklinite has been recognized as the best representative of New Jersey minerals. Mr. Kroth indicated that there were two museums in Franklin and Ogdensburg, world famous zinc mines where over 500 minerals are found and 100 of the minerals have a unique fluorescent property. Mr. Kroth stated the Sterling Hill Mining Museum hosts grade school and university students every year and their mission was to preserve history and get kids interested in science.

Mr. Kroth indicated that quite a few schools have done a letter writing campaign, and the bill has gone through the Assembly, but it has a few more hurdles to go. He thanked Council for recognizing Franklinite’s importance and asked them to continue to spread the word.

Resolution:

Mayor Chiariello asked that **Resolution 9-7 Abolish Salute 07871 Committee** be voted on at this time. He stated that members have not been appointed to this committee because the Council felt it was best to move that committee under the auspices of the Sparta VFW. He stated that the committee will be abolished as a Council entity with the understanding that it will be reformed under the Sparta VFW.

Mayor Chiariello opened the meeting for public comments at this time.

Commander Pete Litchfield, 120 Conestoga Trail addressed Council and thanked the Council and previous Councils for all of their support in helping them get the Salute 07871 going. He thanked Councilwoman Quinn for all of her hard work getting the banner project going and the VFW now has its own support team ready to take over but would appreciate still receiving some assistance from Councilwoman Quinn.

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

Councilwoman Quinn stated that she would be happy to stay on as Council liaison if needed.

Councilman Blumetti asked Councilwoman Quinn if she was on board with this change.

Councilwoman Quinn stated that the issue was really around fundraising and she was surprised that it was on the Agenda for this evening because she thought that the fundraising issues had been worked out. She indicated that she and Councilman Hertzberg were fine with the committee being with the VFW and it eliminates any issues moving forward. She stated further that she wanted to be certain that the dissolution of the committee will not have any impact on the level of support, or the partnerships that the committee has had with the Township.

Mr. Rome stated that it would probably be best to continue to allow the DPW to hang the banners since the poles belong to the Township in order to avoid any liability issues.

Councilwoman Quinn reiterated that she wanted Council's commitment that it would remain business as usual with the same level of support, same business model and same working relationship and support that the committee has had in the past and it was simply being moved under Commander Litchfield and the VFW.

Deputy Mayor Clark stated that whatever support the Council could lend Commander Litchfield he was in favor of and he thanked the Commander for all of the fantastic work that he does on behalf of veterans.

Mayor Chiariello stated that the Township would continue to support the veteran community.

On motion by Deputy Mayor Clark, seconded by Councilman Blumetti and unanimously carried, Resolution 9-7 was duly adopted:

9-7 Resolution to Abolish A Salute 07871 Committee

WHEREAS, the Township Council of the Township of Sparta wishes to continue to support past, present and future service members of Sparta who served in and across all branches of the military; and

WHEREAS, the Township Council of the Township of Sparta believes that this support can best be expressed and realized through a non-governmental committee established by a community and/or veterans organization with community backing, outreach support and recognition of our service members; and

WHEREAS, by Resolution adopted on March 26, 2019, the Township Council of the Township of Sparta established a "Salute 07871 Committee" whose goals and objectives, while still shared by the Township, shall be served through a community Salute 07871 Committee.

NOW, THEREFORE, BE IT RESOLVED by the Sparta Township Council, County of Sussex and State of New Jersey, that the Salute 07871 Committee previously established by the Township

is hereby abolished in consideration of the work that shall be done through community organizations.

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 parts of this resolution.

Approval of Minutes:

Councilwoman Quinn stated that she had changes that she wanted made to the Reorganization meeting minutes of January 5, 2023 regarding comments that she had made. She stated that she would provide her comments to the Clerk.

On motion by Mayor Chiariello, seconded by Councilwoman Quinn and unanimously carried approval of the Reorganization meeting minutes of January 5, 2023 were tabled.

Councilman Blumetti pointed out minor spelling corrections to the January 10, 2023 regular meeting minutes.

On motion by Councilman Blumetti, seconded by Deputy Mayor Clark and unanimously carried, the regular meeting minutes held on January 10, 2023 were approved as amended.

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:

Library Update:

- We continue to provide Health programs that are well attended.
- The Pope John Robotics team will have a four-week program through February.
- There is discussion of having a state wide eContent Service that will identify a unified service that would reduce cost for all libraries and provide better service.

Public Works Updates:

- We had 2 weather events where salting was needed
- NJDEP recently presented the 2020 Recycling Tonnage Payout. Sparta will be receiving \$46,282.59. These monies are used for our Paper Shred event, Tire Recycling, Motor oil recycling, and Brush tub grinding to name a few.

- Building Department Updates:

The Building Dept. continues to move at a good pace. -We are at 217 permits that have been issued as of February 9th.

Our turnaround time is one to two days in most cases. (We are getting positive feedback from the public and contractors alike) This is due to are expanded use of SDL technology and the efforts of our staff.

Our inspectors have performed 646 inspections covering all trades to date. Of these, 107 inspections have been requested on line.

Parks and Recreation Department

- The Recreation Department Winter Registration continues. This current brochure takes programs through April.
- The Winter Carnival was held on Saturday the 4th, estimated 500-600 people attended across the 3-hour event. The Illusionist was a big hit as well the cricket program that was set up in the gym.
- The department is preparing information for the Day Camp this summer. Registration begins on March 1st for residents.

Planning/Zoning Department

Environmental Commission is applying for a grant of \$2000 after getting their bronze certification. This will be used to increase public awareness on green issues and reducing waste, etc

Earth Day celebration on April 22, 2023 to be held at Sparta Municipal Building -- planning by Environmental Commission is underway.

Subcommittee members for Planning Board appointed and backlog of applications are in the process of being resolved.

Police Department:

Annual Reporting:

- The Police Department has completed and submitted all the annually reporting which is mandated by Attorney General's Office.
- Police Department Website:
- Vacant Structure Link—The Sparta Police Department has created a Vacant Structure Notification Program As well as a Traffic Complaint reporting system for non-emergency incidents. Sparta Township Residents can register through the link on our Township Website.

Water Department:

- First Quarter Water and Sewer bills will be mailed 2/15 with a due date of 3/15.

Fire Department

Mr. Rome stated that the Fire Department would like to have Gabe T. Delong of 19 Heighwood Trail appointed to the Department.

In response to a question by Councilman Blumetti, Mr. Rome stated that the brownfield is the old landfill behind the town garage and it was classified as such so that the Township could get assistance and be able to turn it into a solar farm. He stated that the project was moving along and the meeting with the solar provider had gone very well.

Approval of Manager's Report:

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

Fireman Appointment:

On motion by Councilwoman Quinn, seconded by Councilman Blumetti and unanimously carried, Gabe T. Delong was appointed to the Sparta Township Fire Department.

Open to the Public:

Sally Larson, 56 Mt. Spring Drive, addressed Council and stated that she had brought some materials pertaining to food insecurity. She stated that she was struck by Councilwoman Quinn's comments regarding seniors who are experiencing food insecurity.

Councilwoman Quinn accepted the materials and indicated that senior food insecurity was a bigger problem than most people realized.

Ms. Larson stated that regarding the flag issue, she wanted to bring Council's attention to a CDC report that she had seen recently in the news and it talked about how LGBTQ kids are depressed and more suicidal and she felt that the Township needed to display a gay pride flag during Gay Pride Month.

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

Expenditures:

In response to a question by Councilman Blumetti, Mr. Rome stated that Capture Point is a program that is used by the Recreation Department where they take in credit card payments for their various programs.

In response to a question by Councilman Blumetti, Mr. Rome stated that Edmunds and Associates is the support program that the tax collector uses for tax, water, sewer and solid waste payments.

In response to a question by Councilman Blumetti, Mr. Rome stated that Anderson Products Freightliner was a company used to obtain a new DPW dump truck.

In response to a question by Councilman Blumetti, Mr. Rome stated that Sergeant and Lundy is a consultant working on the landfill solar project.

In response to a question by Councilman Blumetti, Mr. Rome stated that Skylands Risk Management Consulting is the risk manager for the Township's workers comp and liability policies.

In response to a question by Deputy Mayor Clark, Mr. Rome stated that the new dump truck had been purchased through one of the co-ops that the Township is part of.

On motion by Deputy Mayor Clark, seconded by Councilman Blumetti and unanimously carried expenditures in the amount of \$6,194,397.43 were approved as presented.

Introduction of Ordinance:**23-03 An Ordinance Amending the Code of the Township of Sparta Respecting the Display of Flags on Township Flagpoles**

Councilman Blumetti asked for clarification in section 2.f, flag flying policy, as to what it means.

Councilwoman Quinn stated that she objected to the government deciding which flags will be flown and thought it was overreach and she was not in favor of it. She indicated that the State has flag guidelines and the Township has spent a considerable amount of money putting lights in front of the building so it would be in the position of celebrating more organizations and initiatives. She mentioned that she was aware of numerous lawsuits that had been filed because the government of a particular municipality decided that they would allow one organization to fly a flag and then reject another one. She stated that she felt that Sparta was in a good position

between the lights and commemorative ribbons and asked if the wording in the ordinance came from the Township Attorney.

Mr. Bolcato stated that it had come from his office because they were asked to look into this issue and Mr. Ryan had presented a memo with a draft ordinance that he was asked to submit for consideration. Mr. Bolcato stated that the ordinance had not been acted on so then he was asked to revisit it.

Councilwoman Quinn stated that she didn't want to see the Township end up with lawsuits similar to what has happened to other municipalities. She stated that an ordinance had been introduced last year because Council did not want to have any subjectivity and wanted to fall in line with the rules as dictated by the State and the federal government on what they allow. She stated that in her opinion the current ordinance contained a lot of subjective language.

Mayor Chiariello stated that last year around May the attorney had drafted two different ordinances for flags, one that was put on the agenda as Ordinance 22-20, but not acted upon, and one that was held in abeyance that used the Township of Asbury Park's flag ordinance as a model. He stated that this ordinance is not about public speech, but rather government speech which is why it would be up to Council to decide what flags are flown.

Mayor Chiariello further explained that the public cannot request that a flag be flown, but can petition Council to have it flown which would protect the governing body from litigation.

Councilwoman Quinn stated that she was not against the ordinance, but wanted to be clear about the risks.

Councilman Blumetti stated that Council needed to do a good job representing the residents.

Deputy Mayor Clark stated that the government speech doctrine stands on separate footing in that when the government decides to speak, it can do so without infringing on the free speech rights of someone else. He stated that Boston had got into trouble because they did not have a flag policy.

Councilwoman Quinn reiterated that she felt it was overreach and didn't like the term "government speech". She stated that she needed more time to digest the policy and come back with questions and objected to the ordinance being on the agenda without discussion.

Mayor Chiariello stated that the Council was discussing it now.

In response to a question by Councilman Blumetti, Mr. Bolcato stated that the ordinance can be introduced and then there would be a public hearing where the public would have the right to speak, as well as the governing body. If it was decided that changes should be made, the ordinance could be amended. He stated that if there were substantial changes, then the ordinance would have to be re-advertised and considered at a future meeting.

Deputy Mayor Clark stated that "government speech" is not a derogatory term and is a whole canon of jurisprudence. He stated that there are municipalities who are doing flag ordinances that are very similar to Ordinance 23-03.

In response to a question by Councilwoman Quinn as to when this version of the ordinance was decided upon, Mayor Chiariello stated that he, Deputy Mayor Clark and the Town Manager had met last week to decide the agenda and everything was posted on Friday so that members would have the whole weekend to go over items.

Councilwoman Quinn stated that the Mayor and Deputy Mayor had decided between the two of them to bring the ordinance forward at this meeting.

Mayor Chiariello stated that the ordinance was being brought forward collectively as a Council by introducing it at this meeting.

On motion by Deputy Mayor Clark, seconded by Councilman Blumetti the following ordinance was duly adopted by roll call vote:

Deputy Mayor Clark – Yes
Councilman Blumetti - Yes

Councilwoman Quinn – No
Mayor Chiariello - Yes

BE IT RESOLVED by the Township Council of the Township of Sparta that the following ordinance entitled: **An Ordinance Amending the Code of the Township of Sparta Respecting the Display of Flags on Township Flagpoles** 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 28, 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.

Hearing of Ordinance:

23-01 The second and final hearing of the 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** was given and held open for public discussion.

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

Councilwoman Quinn asked if there were any other changes to the ordinance other than the meeting time.

Mayor Chiariello stated that he wasn't aware of any other changes having been made.

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

Councilman Blumetti – Yes
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 second and final reading and the Township Clerk is authorized to publish said notice and the ordinance will take effect in accordance with the law.

23-02 The second and final hearing of the 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"** was given and held open for public discussion.

Mayor Chiariello gave a brief explanation that the ordinance had been changed in that the North Shore Trail weight restriction had been deleted from Section 7-17 so that it only appeared in Section 7-34.4 with the weight restriction of 4 tons.

The Township Attorney stated that there would need to be a motion to amend the ordinance that had been published.

On motion by Councilman Blumetti, seconded by Deputy Mayor Clark the ordinance was amended by the following roll call vote:

Councilman Blumetti – Yes
Deputy Mayor Clark – Yes

Councilwoman Quinn - Yes
Mayor Chiariello – Yes

Mayor Chiariello opened the meeting to the public for any comments. There being none, this portion of the meeting was closed.

Deputy Mayor Clark stated that he had attended a meeting two weeks ago between members of the police department, Council with input from Councilwoman Quinn, and representatives from LMCC and it was a community collaboration to tighten up the ordinances and have consistency throughout them. He stated that there had also been input from Ms. Broderick who was instrumental in getting more consistency particularly regarding North Shore Trail.

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

Councilman Blumetti – Yes
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 second and final reading and the Township Clerk is authorized to publish said notice and the ordinance will take effect in accordance with the law.

Open to the Public – Resolutions:

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

Resolutions:

Councilman Blumetti stated that Resolution 9-9 regarded deer hunting on Township owned property and was setting up a study to occur by the Interim Township Manager concerning how to control the deer population. He stated that he was not comfortable with the wording in the resolution that directed the Interim Manager to implement a deer control program and he would like the Manager to present the findings of that study and options or recommendations to the Council for further discussion about implementation.

Councilwoman Quinn asked how Council got back to this resolution. She stated that the former Interim Manager had informed Council that there had been 91 motor vehicle accidents involving deer hits in 2022 and that in Sussex County there had been two fatal accidents involving deer. She stated that people hunt deer for food and there has been past practices of the Township allowing deer hunting on its properties. She stated further that the hunts are managed and handled by the State and to get the State to tell the township it has a deer population problem was laughable.

Councilwoman Quinn went on to state that she felt it was a waste of money to ask for further studies and Township property should be made available to residents who want to hunt. She outlined the research she had done on the subject and mentioned the State’s strict guidelines. She also indicated that she felt that the resolution was put on the Agenda to stall and didn’t think it was fair or right.

Councilwoman Quinn reiterated that she felt she was being purposely left out of the loop when important decisions were being made as to what goes on the Agenda for action to be taken.

Mayor Chiariello and Deputy Mayor Clark denied that she was being left out and stated that the issue of deer hunting had been discussed at prior meetings and perhaps she hadn’t been paying attention.

Councilwoman Quinn stated that she didn’t appreciate being spoken to in a condescending manner and when she was Mayor she always made sure that other Council members were given a heads up when important matters were going to be discussed. She stated that as a woman she had never been treated any differently until now and under the Township ordinance, Council is comprised of equal members with equal say and that is how Council needed to conduct itself.

Councilman Blumetti stated that this topic had been discussed since November and December. He stated that he saw the resolution was on the Agenda for this meeting and he was not surprised that something was coming because it had been discussed extensively.

Councilwoman Quinn stated that this was not the only issue where she has been left out of the loop. She stated that decisions were being made about things that she is involved in with no heads up and the point of the matter was that the majority of Council was just playing word games when their intention all along was to repeal the prior resolution allowing for deer hunting.

Councilman Blumetti stated that Sparta is a residential community and felt there were plenty of other places for people to hunt nearby in the County and the State and now was a good time to evaluate this. He stated that he didn't think that the resolution that had been adopted in December there had enough facts put forward and wasn't data driven.

Mayor Chiariello asked for comments from every member of Council.

Councilwoman Quinn stated that there should be an end date on the decision so that it doesn't continue to go on and on.

Councilman Blumetti stated that he felt the last resolution had a lot of weaknesses and he felt that it was appropriate to re-evaluate it and strengthen it.

Deputy Mayor Clark stated that he felt that the input that Councilwoman Quinn wanted to provide was not precluded by the ordinance. He stated that there was nothing that prevented the Interim Town Manager from engaging her in the process and he would encourage him to do so. He stated that the point was that before hunting was allowed on Township owned property, it needed to be done thoroughly and practically and have input from all concerned. He stated that characterizing it as a stalling tactic was inaccurate and that Council was just doing due diligence.

Mayor Chiariello stated that on this and other resolutions and ordinances going forward, he would offer a period of time where the public and Council members can comment on items that are coming up in future meetings. He stated that there had been a comment period regarding hunting at the last meeting and there was input from both the public and the dais.

Mayor Chiariello stated further that in order to consolidate the information the Mayor, Deputy Mayor and Manager meet the week before a meeting to decide what goes on an Agenda which has been a prior practice. He stated that it had been his experience in the four years prior on Council that his input had never been solicited on anything and that he was trying to change that by inviting people into the process earlier. Mayor Chiariello stated that ordinances and resolutions are all voted on by the Council together and amendments can be made and voting occurs and the majority votes rule.

Mayor Chiariello indicated that Council had voted to rescind issuing hunting permits at the last meeting in order to take time to study the problem.

Councilwoman Quinn stated that she had voted no regarding the rescinding of the hunting permits.

Mayor Chiariello stated that because of the rescinding of the permits, it would be a good time to rescind the resolution all together now so that a study could be completed and new guidelines could be issued.

Councilwoman Quinn asked that the resolution be voted on separately.

Mayor Chiariello stated that he also wanted to vote on Resolution 9-8, Authorization to Hire Certain Police Officers, separately as well.

Mayor Chiariello opened the meeting to allow Jonathan McMeen, Township Prosecutor, to say a few words.

Jonathan McMeen addressed Council and stated that he was leaving his position as the Township Prosecutor and thanked the Council, the police department, and everyone who has been

instrumental in his career. Mr. McMeen introduced Timothy J. Profeta, Esq. as the new Township Prosecutor for Sparta.

Mr. Profeta thanked Council for the opportunity and he looked forward to starting his new position.

Council thanked Mr. McMeen for his service to the Township and welcomed Mr. Profeta.

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

On motion by Councilman Blumetti, seconded by Deputy Mayor Clark and unanimously carried Resolutions 9-2 through 9-6 were duly adopted:

9-2 Disabled Veteran Cancellation of Tax

WHEREAS, the property owner of Block 4002, Lot 179, is a 100% permanently disabled veteran in accordance with N.J.S.A 54:4-30.30;

WHEREAS, the Assessor approved the exemption on February 7, 2023 and the U.S. Department of Veteran's Affairs assigned the effective date as of August 24, 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 \$3,168.28 for the 4th quarter of 2022 and \$3,118.79 for the 1st quarter of 2023.

In addition, Tax Collector will cancel the 2023 second half taxes.

9-3 One-Day ABC Social Affairs Permit – Karen Ann Quinlan Memorial Foundation

BE IT RESOLVED by the Township Council of the Township of Sparta that permission be granted to Karen Ann Quinlan Memorial Foundation for a Social Affairs permit , to be held on March 30, 2023 from 6:00 p.m. to 10:00 p.m. at Andres Lakeside Dining, 112 Tomahawk Trail, Sparta, NJ.

9-4 Resolution Appointing Grant (Sam) Rome as the Interim Township Manager

WHEREAS, the previous Interim Township Manager, Neil Spidaletto, resigned from the position of Interim Township Manager effective December 31, 2022; and

WHEREAS, Sparta Township requires the services of an Interim Township Manager to assume the responsibilities previously held by Mr. Spidaletto and as set forth in the Statutes of the State of New Jersey and the Code of the Township of Sparta.

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

1. The Sparta Township Council hereby appoints Grant (Sam) Rome as the Interim Township Manager.

2. Mr. Rome shall serve as the Interim Appointing Authority of the Township of Sparta.
3. Mr. Rome will be assigned a Civil Service title of Municipal Manager Job 2, part-time.
4. Mr. Rome shall be paid a stipend of \$ 200.00 per day (\$73,000 annually) for his services as the part-time Interim Township Manager.

This resolution shall take effect immediately; however, it shall be void and of no effect in the event that Grant (Sam) Rome fails to qualify for or refuses the position of Interim Township Manager.

9-5 Resolution authorizing the submission of a grant application to the 2023 Sustainable Jersey Small Grants Program funded by the PSEG Foundation.

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Township of Sparta strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Township of Sparta is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

THEREFORE, the Township Council of the Township of Sparta has determined that the Township of Sparta should apply for the aforementioned Grant in the amount of \$2,000.00.

THEREFORE, BE IT RESOLVED, that Township Council of the Township of Sparta, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

9-6 Resolution of the Township Council of the Township of Sparta Authorizing the Award of Contract for Professional Services of Municipal Prosecutor

WHEREAS, the Township of Sparta has need for the professional services of a Municipal Prosecutor; and

WHEREAS, funds are available for this purpose; and

WHEREAS, N.J.S.A. 40A:11-1, *et seq.*, the "Local Public Contracts Law" permits governing bodies to contract for certain professional services without competitive bidding; and

WHEREAS, N.J.S.A. 40A:11-5 requires the award of contract for Professional Services be publicly advertised and the contract itself be available for public inspection:

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

1. The Township of Sparta hereby appoints Timothy J. Profeta, Esq., and the law firm of Laddey, Clark & Ryan, LLP, 60 Blue Heron Road, Suite 300, Sparta, NJ 07871, as Municipal Prosecutor for the period January 1, 2023 to December 31, 2023, in accordance with the attached Contract.

2. This appointment is awarded without competitive bidding as a "Professional Service" pursuant to the Local Public Contracts Law as this is a professional service within the meaning of the law.

3. The Mayor and Township Clerk are hereby authorized and directed to execute the Contract with Laddey, Clark & Ryan, LLP on behalf of the Township.

4. A Notice in accordance with the Local Public Contracts Law shall be published in the New Jersey Herald as required by law.

5. A copy of this Resolution as well as the Contract shall be placed on file with the Clerk of the Township.

6. This resolution shall take effect immediately. However, it shall be void and of no effect in the event that Laddey, Clark & Ryan, LLP does not sign the Agreement.

7. If any section, subsection, sentence, clause or phrase in this resolution is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this resolution.

Mayor Chiariello stated that he wanted to table Resolution 9-8, Authorization to Hire Certain Police Officers.

Councilwoman Quinn asked why the resolution was being tabled.

Deputy Mayor Clark stated that he wanted clarification because he thought that the hiring of police officers was under the purview of the Township Manager.

Councilwoman Quinn stated that she understood that the reason for the resolution was because of changes in legislation.

Mr. Rome stated that in order for the officer to be included in the pension system it needed to have the affirmation of Council.

Councilwoman Quinn asked if the Council would then be just affirming the recommendation made by the Chief of Police.

Mr. Rome stated that the Chief makes the recommendation to the Manager and then the Manager is the appointing authority.

Mayor Chiariello stated that he didn't see in the resolution that it was for the pension system and he still wanted to table it for now in order to get more information.

Councilwoman Quinn asked if there would be any harm if it was delayed for two weeks.

Mr. Rome stated that there are recruits that are in the academy so they wouldn't be eligible to actually go into the pension system until which time they get their police training certificates.

Councilwoman Quinn stated that this resolution was necessary because of the pension.

Mr. Rome stated that recruits needed to have a certificate from the academy to get into the pension system and it also required approval by the governing body in order to be recognized by the State.

On motion by Mayor Chiariello, seconded by Deputy Mayor Clark and unanimously carried, **Resolution 9-8 Authorization to Hire Certain Police Officers** was tabled.

On motion by Councilman Blumetti, seconded by Deputy Mayor Clark, **Resolution 9-9 Rescinding Resolution No. 22-178 of the Township of Sparta** as amended was adopted by the following roll call vote:

Councilman Blumetti – Yes
Deputy Mayor Clark – Yes

Councilwoman Quinn - No
Mayor Chiariello – Yes

9-9 Resolution Rescinding Resolution No. 22-178 of the Township of Sparta

WHEREAS, while Sparta Township Ordinance § 4-3 “Deer Hunting on Township-owned Properties” as amended by Sparta Township Council Ordinance § 15-01, prohibits all hunting on Township-owned properties, except in the event that the Township Council determines that deer hunting is necessary to control the deer population; and

WHEREAS, in such event a determination is made by the Council and the Council adopts a resolution setting forth the applicable permit fee, the process for obtaining permits and the rules and regulations for such; and

WHEREAS, a Resolution No. 22-178, was adopted by the Sparta Township Council authorizing hunting of white-tailed deer on Township-owned property due to a necessity to control the deer population in Sparta Township; and

WHEREAS, the Sparta Township Council has subsequently made a determination that further investigation is required to determine if there is such a need for the allowance of hunting on Township-owned property, as well as a need to investigate other measures of deer control that the Township should explore; and

WHEREAS, the Sparta Township Council desires to rescind Resolution No. 22-178 and direct the Township Manager to study the issue of deer population control in Sparta Township, as well as the benefits, drawbacks and means to control hunting on Township-owned property; and

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

1. Resolution No. 22-178 is hereby rescinded and repealed.
2. The Interim Sparta Township Manager is directed to engage a review of the current deer population conditions seeking engagement with and input from the New Jersey Department of Environmental Protection, Division of Fish and Wildlife (DEP), from the Sparta Environmental Commission, Sparta Recreation Department and Sparta Township Risk Manager.
3. The Interim Township Manager is to identify eligible Township-owned properties upon which deer hunting may be permitted, identifying said properties on a map. The Interim Township Manager is to interface with the NJ DEP's Program on Community Based Deer Management (CBDM), in an effort to explore alternative methods of controlling deer populations, which includes, but is not limited to, controlled hunting, capture and removal and fertility control. This engagement shall include interfacing with the NJ DEP and setting up a meeting with the CBDM biologist to discuss Sparta-specific issues and best practices regarding hunts and land management as it pertains to deer.

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 parts of this resolution.

Council Liaison Updates:

Councilman Blumetti stated that the Environmental Commission had reviewed two land use applications and submitted reports to the Planning Board. He stated that they have also put together and submitted a grant application through Sustainable Jersey and that there were also plans for the Earth Day event on April 22nd at the Municipal Building. He stated also that because of their small budget, there may be a need for some funding

Councilwoman Quinn stated that the Environmental Commission could reach out to and partner with Millennium Strategies to see if they could help with the Commission's initiatives.

Councilman Blumetti stated that the Commission wanted to make Earth Day festivities a community wide event and would report further on it in the coming weeks.

Councilwoman Quinn stated that Health Committee meetings had been set up and invitations have gone out and the first meeting would be held later in the week.

Councilwoman Quinn stated that with regard to LMCC she had sent out an email to all involved and she was waiting to hear back from the country club.

Councilwoman Quinn stated that she and Vanessa were meeting concerning Salute 07871 over the next two weeks in order to reconcile any new orders that had come in with the intention to have them available to be put up in May or June.

Councilwoman Quinn stated that Municipal Alliance resource team meetings have been set for the year, March, May and November and that all invitations had gone out.

Councilwoman Quinn stated that the next Senior Advisory Committee meeting is tomorrow and she would be attending.

Mayor Chiariello stated that the Cultural Affairs Committee was still working on their lineup for the year. He stated that they had resolved their issue with the two Saturday dates and asked if they were allowed to have a food truck on the property.

Mr. Rome stated that he believed that they would have to go to the Clerk's office for a license.

Councilwoman Quinn stated that there is a food truck ordinance in place and the truck must be registered and is required to have a permit. She stated that if it is on municipal property, they need to be invited and produce a letter of invitation unless they had been invited by the Township.

Mr. Rome stated that they also needed to have an inspection by the County Board of Health.

Mayor Chiariello stated that the Library Board had not met in February, and their next meeting would be the second Wednesday in March.

Mayor Chiariello stated that he has been working with two teachers and was trying to organize an event where the students will actually run a Council meeting. He stated that they obviously can't vote, but thought it would be a fun and educational event for them.

Mayor Chiariello stated that he was a guest reader at the Helen Morgan School and he was also trying to work with the superintendent regarding Read Across America which is held nationwide on March 2nd.

Mr. Rome stated that he had just received word on Resolution 9-8 and it was a civil service requirement in order to put someone in the pension system, and it needed the approval of the governing body.

Councilwoman Quinn made a motion that Resolution 9-8 be reconsidered for adoption. There was no second and the motion failed.

Mayor Chiariello stated that Resolution 9-8 remained tabled until the next meeting.

Old Business:

Councilwoman Quinn stated that the ambulance squad installation dinner was a success.

Councilwoman Quinn stated that there had been a fund raiser at the VFW for unified sports programs and it was well attended and a great success.

Councilwoman Quinn stated that the Winter Carnival had gone well and was excited that the Recreation Committee could now come up with ways to make the event bigger and better now that it has a new location.

Councilman Blumetti stated that the ambulance dinner was a success and he had also attended the Winter Carnival and the Recreation Department had done a great job.

Mayor Chiariello stated that he wanted to postpone appointing Alternates to the Zoning Board until the next meeting.

Mayor Chiariello stated that Council wanted to formally add two liaisons to the Sparta Historical Society.

Deputy Mayor Clark stated that he would be happy to serve as a Council liaison and Councilman Blumetti stated that he would like to serve as well.

On motion by Councilman Blumetti, seconded by Deputy Mayor Clark and unanimously carried, Deputy Mayor Clark and Councilman Blumetti will serve as Council liaisons to the Sparta Historical Society.

Mayor Chiariello opened the meeting to the public for comments concerning the Economic Development Committee.

Nicole Francoeur, 31 Mohawk Avenue, addressed Council and stated that she owned a business at the Upper Lake Plaza and that she has served on the committee for about five years. She indicated that it was not what she thought it would be when she first joined and stated that there was a lack of a municipal chamber of commerce.

Councilwoman Quinn and Mayor Chiariello stated that Sparta did have a chamber of commerce. Ms. Francoeur stated that she wasn't aware of that and no one had ever contacted her. She stated that she thought that the committee would be networking between businesses and encouraging certain businesses to come into town. She stated that one of the projects that had started at the beginning of the year was to put together a yearly Sparta magazine listing businesses in town, but the project got put on hold. She stated that she felt that an EDC was needed, but didn't know if that was the right name for it. She indicated that Sparta doesn't have a true centralized business district like in other towns and there was no networking organization that brings businesses together.

Councilwoman Quinn asked her to leave her information with the Clerk and she would reach out to her tomorrow with information regarding the Sparta chamber.

Ms. Francoeur stated that she had attended a meeting four years ago and it was mostly all bankers and realtors. She stated that she was the only retail store owner in attendance.

Councilwoman Quinn stated that maybe it was worth giving it a second look because the last time she had attended there were 60 people in the room and they were from a variety of businesses.

Mayor Chiariello stated that he had attended a meeting in January and there were approximately 50 to 60 people there and it was run very efficiently so maybe things have changed since the last time Ms. Francoeur was involved.

Deputy Mayor Clark stated that maybe one of the things that Council should consider is to have better collaboration between the EDC and the Sparta Chamber of Commerce.

Ms. Francoeur stated that that would be helpful and Council needed to decide what it wants the EDC to do. She stated that a downtown or business development was very different from an economic development. She stated that she didn't feel that Sparta has a healthy, vibrant, interactive business community and everyone was isolated. She stated that there were no sidewalks connecting the theater center to the plaza area.

Councilwoman Quinn stated that there had been discussions in the past about closing down Main Street so that businesses would be able to be represented up and down the street, and many other projects were in the works, but then Covid happened and then nothing was done. She stated that she thought it was time that people got back to doing things like that and she appreciated Ms. Francoeur's comments.

Ms. Francoeur stated that she realized that the committee was on hiatus until the Council decided what they wanted to do, but the EDC had made a commitment to put out a free magazine that goes out to all of the businesses in town that lists all of the businesses by category, government sources, churches etc. Ms. Francoeur stated that the EDC was suppose to help put together the directory but since it's been put on hold, she is the only one doing it.

Police Chief Jeff McCarrick addressed Council concerning Resolution 9-8. He stated that on April 21, 2022 Council had adopted 11A4-1.3 in order to hire the right police officers for the Township. He stated that since then the State had amended the statute by specifically stating that Towns could not hire certified police officers and instead of hiring certified police officers,

towns would have the opportunity to hire temporary appointments. He stated that they would have to be placed into the academy within nine months of that appointment. Chief McCarrick stated that after speaking with civil service this week, he had explained the situation of a possible candidate that he wanted to hire and he had sent them Sparta's current ordinance. He stated that civil service had recommended that the resolution be put on for this candidate if he recommended the hiring of this particular candidate. Chief McCarrick stated that he had spoken with Mr. Rome and he agreed with the recommendation to hire Mr. Stoll. He stated that's why he had asked for the resolution to be put on the Agenda this evening.

In response to a question by Councilman Blumetti, Chief McCarrick stated that a lot of times when individuals are hired they are not yet an officer and have to be sent to the police academy.

Councilwoman Quinn stated that the police department takes the time to get candidates up to speed before they go to the academy.

Chief McCarrick stated that there were a lot of SOP policies that they have to go over, get ready with uniforms and getting things ready after they graduate from the academy.

In response to a question from Mayor Chiariello, Chief McCarrick stated that applicants are received from time to time and there is civil service testing. He indicated that other individuals are on that civil service list that he was looking to hire as well.

In response to another question by Mayor Chiariello, Chief McCarrick stated that this individual is a civil service test waiver in order to expand the pool of applicants for departments. He stated that this individual has gone through a thorough background check and is slotted for the academy in late March.

Chief McCarrick stated that normally this isn't done with a civil service appointment. He stated that normally he would make a recommendation to the Manager and the Manager would say yes or no and the appointment would be made to civil service. He stated that because of the certain change to the statute, civil service is requesting the governing body to adopt a resolution. He stated also that it is not pension related and is strictly a formality that civil service is asking for and that once the candidate finishes the academy, another resolution would be required to make him a permanent employee.

In response to a question by Councilman Blumetti, Chief McCarrick stated that there are three vacant positions due to retirements.

Councilwoman Quinn stated that it sounded like this was time sensitive.

Chief McCarrick stated that was why he wanted the resolution on the Agenda because it was part of the process in preparing the candidate for the academy.

In response to a question by Deputy Mayor Clark, Chief McCarrick stated that an officer from another civil service town would be able to be hired in Sparta.

In response to a question by Deputy Mayor Clark, Chief McCarrick stated that he had received no requests for an intergovernmental transfer.

In response to a question by Deputy Mayor Clark, Chief McCarrick stated that he had received such requests in the past.

In response to a question by Deputy Mayor Clark, Chief McCarrick stated that he had chosen Mr. Stoll is a 27 year old individual who grew up in Lafayette, and is a community oriented person who always wanted to be a police officer. He stated that he did excellent work in college and was in great physical condition. Chief McCarrick stated that he also works in Sparta and knows the area really well.

In response to a question by Councilman Blumetti, Chief McCarrick stated that Mr. Stoll has been accepted into the academy which starts on April 24th and goes for about five and half months.

Councilwoman Quinn made a motion to bring the adoption of Resolution 9-8 back to the floor for consideration. Mayor Chiariello seconded the motion and it was unanimously carried.

On motion by Councilwoman Quinn, seconded by Deputy Mayor Clark and unanimously carried, Resolution 9-8 was duly adopted:

9-8 Resolution Requesting Authorization to Hire Certain Police Officers

WHEREAS, it is the desire of Sparta Township to hire a police officer, and

WHEREAS, the Sparta Township Police Department staff have conducted background checks and interviewed Police Officer candidates in accordance with Civil Service guidelines; and

WHEREAS, the Sparta Township Police Department staff recommend the hiring of the following Police Officer Candidate:

Kyle J. Stoll, as a Temporary Appointment, at \$50,000/year,
in accordance with N.J.S.A 11A:4-1.3.

WHEREAS, the Township's Chief of Police recommends hiring this officer; and

WHEREAS, the Township's Chief Financial Officer has certified that funds are available for this purpose; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Sparta, approve the hiring of said Police Officer effective March 2nd, 2023.

A copy of this Resolution shall be placed on file with the Clerk of the Township.

This resolution shall take effect immediately.

Mayor Chiariello closed the meeting to the public at this time.

Mayor Chiariello stated that the current EDC scope had not been followed by the current members of the EDC committee as it had been outlined in the resolution adopted on November 1, 2006. He stated that Council needed to find out what the right scope of the committee would be going forward.

On motion by Mayor Chiariello, seconded by Councilwoman Quinn and unanimously carried discussions concerning the Economic Development Committee were tabled until the next meeting in February.

Councilwoman Quinn stated that she felt that Councilman Hertzberg's information, as well as the notes from Janice Stevens should be posted so that it would be public before the next meeting.

New Business:

Councilwoman Quinn stated that the township has had a long-standing relationship with Kelly Bonventre and the Donate Life foundation and they have done tremendous work promoting

organ donations. She stated that Ms. Bonventre had reached out to see if they could put ribbons on the poles and illuminate the municipal building to support them. She stated that she would give the information to the Manager and she would get clarification as to what month it falls under.

Councilwoman Quinn stated that she had received a communication from Rich Tomko regarding the status of defibrillators in the parks. She stated that the concern that he had specifically brought up was access and she would like to examine what can be done in the parks, along with the Manager and other key township personnel, to improve emergency services.

Mayor Chiariello stated that his recommendation would be to refer it to the Recreation Committee and have them bring some proposal to the Council.

Councilwoman Quinn stated that the committee could definitely take it on as an action item.

In response to a question by Councilwoman Quinn, Mr. Rome stated that the budget discussions would probably start towards the end of March.

Deputy Mayor Clark stated that there is a gentleman that is looking to convert a lot of abandoned rail lines to trails and he will be presenting in front of the County open space committee. He stated that part of the plan would be to figure out how it can be used and turned into recreational use. He stated that he looked forward to further exploring it because he felt it could be a real benefit to the community and a boon to the economy.

Councilwoman Quinn stated that the Planning Board a couple of years ago was looking at how to put boardwalks over the wetlands. She stated that Vernon had built theirs and they were able to do it through community contributions, grants and things of that nature. She stated that was something that Sparta had been looking at in order to maximize property that the Township owns that cannot be used for any other purpose.

Councilman Blumetti stated that he was interested in getting involved in the budget process as soon as appropriate.

Councilman Blumetti stated that he had been in touch with Mr. Tomko concerning AED's and thought that it was critical to have them available.

Councilman Blumetti stated that he had attended a seven hour event hosted by the New Jersey League of Municipalities that was an orientation for newly elected officials. He stated that it had been a great event and he had done some good networking.

Mayor Chiariello stated that the Manager will assemble a budget and the Council will receive a draft copy. He stated that last year the budget session was moved to a week night last year in order to give the public an opportunity to attend. He stated that Council can offer thoughts and markups and then the final budget is created.

Mr. Rome stated that for the last eight years the municipal rate has remained basically the same which is quite an accomplishment. He stated that the rate could be maintained again this year and that the surplus might be down a couple of hundred thousand dollars from last year, but the Township would still be well over the ten million mark in surplus.

Adjournment:

No one else wished to be heard and no further business was brought up, motion was made by Councilwoman Quinn, seconded by Deputy Mayor Clark and unanimously carried to adjourn at 10:21 p.m.

Respectfully submitted

Roxanne Landy, RMC
Assistant Municipal Clerk