

February 22, 2022

The meeting was called to order at 5:00 p.m. by Mayor Smith 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 Smith, Deputy Mayor Hertzberg, Councilman Chiariello, Councilwoman Quinn, Interim Manager Neil Spidaletto, Township Attorney Thomas Ryan, CFO Grant Rome, Township Engineer Stan Pusczc and Township Clerk Kate Chambers. Councilwoman Whilesmith arrived at 5:05 p.m.

Open Public Meetings Act-Executive Session:

On motion by Deputy Mayor Hertzberg, 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 Deputy Mayor Hertzberg, seconded by Councilman Chiariello and unanimously carried, Council reconvened into public session at 7:00 p.m.

Salute to the Flag:

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

Approval of Minutes:

On motion by Councilwoman Whilesmith, seconded by Councilwoman Quinn and carried, the Regular Meeting minutes held on January 25, 2022 were approved as presented. Councilman Chiariello abstained.

On motion by Councilwoman Quinn, seconded by Deputy Mayor Hertzberg and carried, the Regular Meeting minutes held on February 8, 2022 were approved as presented. Councilwoman Whilesmith abstained.

Open to the Public:

Vivian Perlmutter, 5 Morgan Drive, Sparta addressed council pertaining to the truck/train transfer station to be built and the effect that it would have on Rt. 15 which is a two lane road. She stated that this would impact existing businesses with the additional trucking. She stated

that she knows that the town wants ratables to bring money into the town. She also stated that it is being built by the aquifer which could affect water quality.

Mayor Smith responded stating that it is the Planning Board's decision. He stated they applied to the Planning Board and that the applicant is conforming so the application cannot be denied. He stated that Deputy Mayor Hertzberg and Councilwoman Quinn were on the Planning Board and that a meeting is scheduled on March 2nd.

Councilman Chiariello stated that ordinance 21-02 set this is motion last year.

Councilwoman Quinn stated that there hadn't been a Master Plan review in over 20 years and the Planning Board feels that this is better leverage for the rail.

Dean Blumetti, 15 Waters Edge stated that the Environmental Commission reviewed the Diamond application and that it is an 880,000 square foot warehouse storage facility on 60 acres and is ¼ mile from Rt. 15. He stated that it would environmentally impact rare birds, turtles and other wildlife. He stated that it would affect the air quality. He stated that the traffic study didn't look at the smaller side streets pertaining to impervious coverage that it was under the limit and would need to get a variance. He stated that it was close to the aquifer and the quality of life would be affected. Further it would be the largest warehouse in the area and that Sparta would be setting a precedent.

Councilwoman Quinn inquired if the Environment Commission reviewed the packet and asked if they were preparing a report.

Manager's Report:

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

REGULAR SESSION / ITEMS:

- **Public Works Updates:**

As winter continues, the Department of Public Works continues to respond to more Storm events. We are watching another potential storm that could require a response this Thursday evening into Friday. Last week The Department was busy removing tree debris from the high winds this past Friday and over the weekend.

Also, last week Public Works employees assisted in the delivery and setting up of the Football Snack stand shed at Freedom Field. This coming week the electrical work will be completed inside the shed.

Public Works personnel assisted in the upgrade of the library's water fountain to a bottle filler station and installed an interior wall making the library space more efficient for its residence.

- **Water/Sewer Updates:**

First quarter bills were mailed to all Water & Sewer customers on February 15th. The Water/ Sewer Utility completed its meter reading software conversion that sync's the new Neptune 360 platform with our Edmunds billing system. The conversion enabled the Utility to replace unsupported reading equipment and software. The platform also offers better data functionality with meter read data and will allow staff to more efficiently complete quarterly route reading.

- **Parks & Recreation Updates:**

The Recreation Department Winter Programs are wrapping up the first session. Second session of winter begins March 1st and most of the programs are filled.

Registration for the 2022-2023 school year for Circle of Friends preschool started on February 15th. The 4-year-old class is full and there are around 7 spots open in the 3-year-old class.

Senior Programming continues to stay very active with a lot on their agenda.

Hopefully soon the weather will start warming up enough that Parks the staff can begin to prep fields for this spring.

OEM Report:

Fortunately, last week's windstorm and snow squalls did not create many issues. Sparta Township did experience some power outages around town, which JCP&L was made aware of and addressed as soon as they could. Extra energy crews were activated for this storm as with most storms when high winds are expected.

This Friday, Sparta Township Employees will be participating in training right here in our court room, on Emergency medical care, CPR, Defibrillator use, and violent threat awareness. This training will fall under our Emergency Management Services.

The individual conducting the training is the same individual that has trained many of our County, as well as Township Police and Public Works employees in tactical Trauma Care. This will be very worthwhile training and pertinent information to have.

Approval of Manager's Report:

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

Expenditures:

Councilman Chiariello questioned an item on the list bills #122651 Capture Point software. Sam Rome, CFO, responded that it was for the online credit card processing for the Recreation Department.

On motion by Deputy Mayor Hertzberg, seconded by Councilwoman Quinn and unanimously carried, expenditures in the amount of \$5,684,729.39 were approved as presented.

Introduction of Ordinance:

22-03 An Ordinance Amending Article II, "Administration" of the Revised General Ordinances of the Township of Sparta

On motion by Councilwoman Whilesmith, and seconded by Deputy Mayor Hertzberg the following resolution was duly adopted by roll call vote:

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

Councilwoman Whilesmith - Yes
Mayor Smith – Yes

BE IT RESOLVED by the Township Council of the Township of Sparta that the following ordinance entitled: **An Ordinance Amending Article II, "Administration" of the Revised General Ordinances 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 March 8, 2022 at 7:00 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.

Open to the Public – Resolutions:

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

Resolutions:

On motion by Deputy Mayor Hertzberg seconded by Councilwoman Quinn, and unanimously carried, Resolutions 9-1 through 9-4 were duly adopted:

9-1 Tax Overpayment - Refunds

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

BLOCK	LOT	ADDRESS	AMOUNT
3049	19	80 Cheyenne Trl	\$1,000.00
5044	10	141 Hilltop Trl	\$1,709.30

9-2 One-Day ABC Social Affairs Permit – Shepherd of the Hills Lutheran Church

BE IT RESOLVED by the Township Council of the Township of Sparta that permission be granted to Shepherd of the Hills Lutheran Church, 246 Woodport Road, Sparta, NJ for a social affairs permit on April 3, 2022 from 4:00 p.m. to 7:00 p.m. at Shepherd of the Hills Lutheran Church, 246 Wood port Road, Sparta, NJ 07871.

9-3 Resolution to Appoint Skylands Risk Management, Inc., as the North Jersey Municipal Employee Benefits Fund Producer/Risk Manager

WHEREAS, the Township of Sparta has resolved to continue as a member of the North Jersey Municipal Employee Benefits Fund; and

WHEREAS, the bylaws of the Fund requires the Fund Program Manager to perform certain consulting, field and marketing services to Fund members; and

WHEREAS, recognizing that new members may have existing relationships with a licensed broker/consultant, the member may appoint, subject to approval of the Fund and Program Manager, another firm to perform the portion of the professional consulting services normally provided by the Program Manager to the member municipality as detailed in the "Producers Agreement"; and

WHEREAS, the Executive committee of the North Jersey Municipal Employee Benefits Fund determines annually the fee payable to producers based on the Municipality's assessment and/or enrollments, or a member may negotiate a different amount for which their assessment would be adjusted accordingly and for which expenditure represents reasonable compensation for the services required and is included in the assessment for this Fund; and

WHEREAS, the judgmental nature of the Consultant's duties renders comparative bidding impractical.

NOW, THEREFORE BE IT RESOLVED, that the Township of Sparta does hereby appoint Skylands Risk Management, Inc. as its Producer/Risk Manager for the term of January 1, 2022 through December 31, 2022.

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.

9-4 Resolution of the Township of Sparta Authorizing the Mayor and Township Clerk to Sign the Agreement for Animal Impound Services with Father Johns Animal House, Inc.

WHEREAS, the Township of Sparta is in need of providing animal impound services for the year 2022; and

WHEREAS, Father Johns Animal House, Inc. has a facility and the ability to provide the animal impound services, as well as emergency veterinary services as may be required by the Township;

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

1. The Agreement for Animal Impound Services between the Township of Sparta and Father Johns Animal House, Inc. is approved. The terms and conditions of the Agreement (Exhibit "A") are made a part of this Resolution.
2. The Mayor and Township Clerk are authorized to sign the Agreement for Animal Impound Services on behalf of the Township.
3. The Agreement for Animal Impound Services is subject to final approval by the Township Manager and Township Attorney. This resolution shall be void and of no effect in the event that Father Johns Animal House, Inc. fails or refuses to sign the Agreement for Animal Impound Services.
4. This Resolution shall take effect immediately.
5. 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 and Deputy Mayor Hertzberg attended the quarterly Board of Education meeting. Councilwoman Quinn stated that one of the topics was the lighting on the path between the high school and Station Park. Councilwoman Quinn added that Interim Manager Neil Spidaletto would be offering some assistance with this project.

Councilwoman Quinn stated that the Municipal Alliance rescheduled their meeting and the Planning Board meeting was canceled.

Councilwoman Quinn said that the Recreation Advisory Committee will be back to meeting in person beginning with the first meeting in March.

Councilman Chiariello stated that the Environmental Commission is still formulating plans for the plastic bag ban presentation. Councilman Chiariello added that he will be meeting with Interim Manager Spidaletto later this week to finalize those plans.

Councilman Chiariello stated that the Environmental Commission has also reviewed the warehouse plan discussed earlier.

Councilman Chiariello stated that the Technology Committee met last week and discussed some of the initiatives they have planned for the next two years.

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

Old Business:

Councilman Chiariello thanked Councilwoman Quinn and the group that put together the celebration for our Olympian Sarah Escobar. Councilman Chiariello added that it was a very nice event.

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

New Business:

Mayor Smith stated that the Environmental Commission has three openings. Mayor Smith stated that he was in discussions with the Chairman in regards to these vacancies. Mayor Smith stated that after the discussions he will appoint Kimberly Noelle as a full member and Richard Tomko as first alternate. Mayor Smith appointed Christine Dunbar as second alternate.

Mayor Smith stated that this is Public Library Month and recognized Sparta Public Library as one of the finest in the State.

Mayor Smith stated that the Township Council has been presenting quite a few proclamations for the recognition of various events. Mayor Smith requested input from Council on the suggestion to save proclamations for special events like the one that was presented to Sparta Library for going above and beyond during COVID. Mayor Smith said he would like to introduce a certificate of recognition for individuals who have earned something or who have gone above and beyond. Mayor Smith added that Council can email any questions or concerns they may have on this matter. Mayor Smith stated further that going forward any proposed proclamation will be presented to Council for a decision.

Councilwoman Quinn stated that she supported Mayor Smith's suggestion and would also like the Challenge coin to be a part of the Recognition Certificate presentation. Mayor Smith concurred with Councilwoman Quinn.

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

Open to the Public:

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

Adjournment:

No one else wished to be heard and no further business was brought up, motion was made by Deputy Mayor Hertzberg, seconded by Councilwoman Quinn, and unanimously carried to adjourn at 7:30 p.m.

Respectfully submitted

Kate Chambers, RMC
Municipal Clerk