



SPARTA TOWNSHIP COUNCIL

AGENDA

April 11, 2023

PLEASE TAKE NOTICE that action will be taken on the following items at the Regular Council meeting on Tuesday, April 11, 2023 in the Council Chambers, Sparta Township Municipal Building, 65 Main Street, Sparta, New Jersey.

TIME:

The meeting is called to order at 6:30 pm. The regular meeting begins at 7:30 pm.

STATEMENT:

Adequate notice of this meeting was provided to the public and the press on January 6, 2023 by delivering to the press and posting on the Township website a copy of the notice.

1. ROLL CALL

Councilman Dean Blumetti, Mayor Dan Chiariello, Deputy Mayor Neill Clark, Councilman Josh Hertzberg, Councilwoman Christine Quinn, Township Manager, Attorney, Municipal Clerk

RESOLUTION

Open Public Meetings Act-Executive Session Motion _S_

SALUTE TO THE FLAG

PROCLAMATIONS

Child abuse

Donate life

Earth Day



2. MINUTES

Regular Meeting Minutes held on February 28, 2023

3. MANAGER'S REPORT

APPROVAL OF MANAGER'S REPORT

4. OPEN TO THE PUBLIC

Items not on the Agenda

5. EXPENDITURES

6. INTRODUCTION OF ORDINANCE

23-03 AN ORDINANCE AMENDING THE CODE OF THE
TOWNSHIP OF SPARTA RESPECTING THE DISPLAY OF
FLAGS ON TOWNSHIP FLAGPOLES

23-10 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

7. HEARING OF ORDINANCE

23-05 AN ORDINANCE AMENDING TOWNSHIP OF SPARTA
CODE SECTIONS 19-14.s and 20-3.6 REGARDING WATER
AND SEWER UTILITY CAPITAL CONNECTION FEES



- 23-06 AN ORDINANCE AMENDING CHAPTER 2
“ADMINISTRATION”, ARTICLE XI, “TAXATION AND
REVENUE” OF THE REVISED GENERAL ORDINANCES OF
THE TOWNSHIP OF SPARTA, ADDING A NEW SECTION 2-
62, 100% DISABLED VETERAN TAX REFUNDS”
- 23-07 AN ORDINANCE GRANTING A PERMANENT, NON-
EXCLUSIVE BRIDGE EASEMENT OVER A PORTION OF
BLOCK 27004, LOT 2 ON THE OFFICIAL TAX MAP OF THE
TOWNSHIP OF SPARTA TO THE COUNTY OF SUSSEX
- 23-08 AN ORDINANCE GRANTING A PERMANENT, NON-
EXCLUSIVE WATERMAIN EASEMENT OVER A PORTION
OF BLOCK 27004, LOT 2 ON THE OFFICIAL TAX MAP OF
THE TOWNSHIP OF SPARTA TO THE TOWN OF NEWTON
- 23-09 AN ORDINANCE AMENDING CHAPTER 2,
ADMINISTRATION, ARTICLE VI,
DEPARTMENTS CREATED, SECTION 2-
18.4.H CLASSIFICATIONS OF APPLICANTS
AND ORDER OF APPOINTMENT THEREOF,
OF THE MUNICIPAL CODE OF THE
TOWNSHIP OF SPARTA

8. OPEN TO THE PUBLIC

Resolutions

9. RESOLUTIONS

- 9-1 – Resolution for Tax Overpayments due to NJ Court Stipulation
- 9-2 Introduction of Municipal Budget – Title Only
- 9-3 Resolution Authorizing the Private Sale and Assignment of Tax Sale
Certificate 19-00068 For Block 4001, Lot 37 to Woodbine Capital LLC



- 9-4 Resolution of the Township of Sparta Approving Consulting Services Agreement for Township Manager Search Consultant
- 9-5 Resolution of the Township of Sparta Approving Professional Services Agreement with Forty Twenty Seven LLC
- 9-6 Resolution Approving the Submission of a Grant Application and Execution of a Grant Agreement with the New Jersey Department of Transportation for the Station Road Improvement Project.
- 9-7 Resolution of The Township Council of the Township of Sparta, County of Sussex, Ratifying and Executing an Acknowledgement and Release Agreement

10. COUNCIL LIAISON' UPDATES

11. UNFINISHED BUSINESS

Agenda items

- 1. Zoning Board- 1 Alternate vacancy
- 2. Economic Development Committee
- 3. Steve Levinson-Manager update
- 4. Environmental Commission

12. NEW BUSINESS

- 1. State Plan Endorsement Committee

13. OPEN TO THE PUBLIC

14. ADJOURNMENT



9-1 Resolution for Tax Overpayments due to NJ Court Stipulation

BE IT RESOLVED BY THE Township Council of the Township of Sparta that the Tax Collector refunds the following tax over payment due to NJ State Court Stipulation

BLOCK	LOT	AMOUNT	YEAR
17001	5	\$5,868.40	2017
17001	5	\$5,778.65	2018
17001	5	\$5,871.85	2019
17001	5	\$5,871.85	2020

9-2 Introduction of Municipal Budget – Title Only

BE IT RESOLVED by the Township Council of the Township of Sparta that the budget by title only inasmuch as the conditions set forth in N.J.S.A. 40:4-5 shall be met as follows: that a complete copy of the approved budget shall be posted in the Municipal Building and copies of said budget shall be made available to each person requesting the same prior to a public hearing to be held on a May 9, 2023.

9-3 Resolution Authorizing the Private Sale and Assignment of Tax Sale Certificate 19-00068 For Block 4001, Lot 37 to Woodbine Capital LLC

WHEREAS, by public sale held on October 21, 2020, the Township of Sparta purchased Tax Sale Certificate No. 19-00068 (the “Tax Sale Certificate”) for the property located at 2 Manitou Falls Terrace, Sparta, New Jersey, designated as Block 4001, Lot 37 on the Tax Maps of the Township of Sparta and assessed to Lisa Matera; and

WHEREAS, Woodbine Capital LLC offered to purchase the Tax Sale Certificate from the Township; and

WHEREAS, the Township is authorized to sell and assign at private sale Tax Sale Certificates which it holds pursuant to the provisions of N.J.S.A. 54:5-113 et seq.; and

WHEREAS, the Township has complied with the mailing, publication, and posting requirements of notice of its intent to assign the Tax Sale Certificate pursuant to N.J.S.A. 54:5- 114; and



WHEREAS, the total amount now due on Tax Sale Certificate 19-00068 as of March 29, 2023, including the original sale, together with all subsequent liens thereon is \$39,651.82; and

WHEREAS, Woodbine Capital LLC must pay the total balance owed, including all accrued taxes and interest as a condition of the sale.

NOW, THEREFORE, BE IT RESOLVED by the Sparta Township that the assignment of Tax Sale Certificate No 19-00068 to Woodbine Capital LLC is hereby approved, conditioned upon Woodbine Capital LLC paying the Township the full balance owed for all municipal liens against the property; and

BE IT FURTHER RESOLVED that the Mayor and Clerk be and the same are hereby authorized to execute an Assignment of Tax Sale Certificate on behalf of Sparta Township, and the assignment shall be provided to Woodbine Capital LLC upon receipt of the payment for the Tax Sale Certificate.

In the event Woodbine Capital LLC fails to pay the full amount owed, this Resolution shall be void and of no effect.

9-4 Resolution of the Township of Sparta Approving Consulting Services Agreement for Township Manager Search Consultant

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

WHEREAS, the Sparta Township Council desires to contract with a Township Manager Search Consultant; and

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

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-6.1) allows a contract to be awarded after soliciting at least two (2) competitive quotations, when the aggregate price is less than the bid threshold but fifteen percent (15%) or more of that amount; and



WHEREAS, The Township obtained multiple quotations and desires to accept the proposal provided by Steven Levinson from Assurance Consulting Associates, LLC in the amount of \$1,500.00 per month for six (6) months, which amount is less than the Township's bid threshold.

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

1. The Sparta Township Council hereby approves the attached Consulting Services Agreement with Steven Levinson and Assurance Consulting Services, LLC, for six (6) months at the rate of \$1,500.00 per month.
2. Vendors performing work for and on behalf of Sparta Township must conduct business according to the highest ethical standards. The Township recognizes the right of individuals to engage in outside activities that are private in nature and unrelated to municipal business. However, business dealings can create or appear to create a conflict between the individual and the Township's interest.

Prior to becoming a vendor for the Township, all vendors are required to disclose possible conflicts so that the municipality may assess and prevent potential conflicts. Vendors, after being engaged by the Township, shall not engage in matters that create a conflict of interest for the Township. If a potential conflict arises, a vendor is required to promptly notify the Township Manager of the possible conflict of interest. The vendor shall not take any action that will be adverse to the Township.

3. A copy of this Resolution shall be placed on file with the Clerk of the Township.
4. This Resolution shall take effect immediately, however it shall be void and of no effect in the event that the consultant fails or refuses to sign the agreement.
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.



9-5 Resolution of the Township of Sparta Approving Professional Services Agreement with Forty Twenty Seven LLC

WHEREAS, the Township of Sparta desires to enter into a Professional Services Agreement for GIS mapping and related services and has received a proposal from David Manhardt, AICP, Forty Twenty Seven, LLC in the amount of \$125 per hour not to exceed \$7,500; and

WHEREAS, the Township desires to approve the Professional Services Agreement with David Manhardt, AICP, Forty Twenty Seven, LLC for GIS mapping and related services with a project completion date on or before December 31, 2023; and

WHEREAS, the approval of this contract is made in compliance with the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Sparta that the proposal for GIS mapping and related services submitted David Manhardt, AICP, Forty Twenty Seven, LLC, at the rate of \$125 per hour and not to exceed \$7,500 as reflected in the attached Professional Services Agreement is hereby approved subject to the review of the final document by the Township Manager and Township Attorney. The Township Chief Financial Officer has confirmed that the Township has sufficient funds available for the contract; and

BE IT FURTHER RESOLVED the Mayor and Township Clerk are authorized to sign the Professional Services Agreement with David Manhardt, AICP, Forty Twenty Seven, LLC, on behalf of the Township; and

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

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



This resolution shall take effect immediately. However, it shall be void and of no effect in the event that David Manhardt, AICP, Forty Twenty Seven, LLC, fails to sign the Professional Services.

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.

9-6 Resolution Approving the Submission of a Grant Application and Execution of a Grant Agreement with the New Jersey Department of Transportation for the Station Road Improvement Project.

WHEREAS, the Township of Sparta is requesting funding from the New Jersey Department of Transportation through the Local Transportation Projects Fund Program for the completion of the Station Road Improvement Project.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Sparta formally approve the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as “*LTPF-2023-Station Road Improvement Project-00069*” to the New Jersey Department of Transportation on behalf of the Township of Sparta.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Sparta and that their signature(s) constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement.

9-7 Resolution of The Township Council of the Township of Sparta, County of Sussex, Ratifying and Executing an Acknowledgement and Release Agreement

WHEREAS, the Township of Sparta has entered into a certain Acknowledgement and Release Agreement which has been negotiated between the parties in a personnel matter; and



WHEREAS, the Mayor and Township Counsel have been afforded an opportunity to review the Acknowledgement and Release Agreement and the employee has executed the Acknowledgement and Release Agreement; and

WHEREAS, the Township seeks to ratify and execute the Acknowledgement and Release Agreement; and

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

1. The Acknowledgement and Release Agreement between the Township of Sparta and its employee is hereby approved.
2. The Mayor and Township Clerk are authorized to sign the Acknowledgement and Release Agreement on behalf of the Township of Sparta, as well as any other documentation necessary to effectuate this settlement.
3. The Resolution shall take effect immediately.

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

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.



**RESOLUTION – OPEN PUBLIC MEETINGS ACT – EXECUTIVE
SESSION**

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:

The public shall be excluded from discussion of an action upon the hereinafter specified subject matters:

The general nature of the subject matter to be discussed is as follows:

- a. Litigation
- b. Personnel
- 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.