



SPARTA TOWNSHIP COUNCIL

AGENDA

June 13, 2023

PLEASE TAKE NOTICE that action will be taken on the following items at the Regular Council meeting on Tuesday, June 13, 2023 in the Council Chambers, Sparta Township Municipal Building, 65 Main Street, Sparta, New Jersey.

TIME:

The Town Council Meeting begins at 7:30 pm.

All Council Meetings are now live streamed and can be viewed at the following link:

<https://www.youtube.com/@SpartaTwp/streams>

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

SALUTE TO THE FLAG

PRESENTATION

Tammie Horsfield -Sussex County Tourism



PROCLAMATION

National Gun Violence Awareness Month

National Cancer Survivors Month

2. MINUTES

Special Meeting Minutes (Budget) -March 27, 2023

Executive Meeting Minutes -April 11, 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

none

7. HEARING OF ORDINANCE

23-11 AN ORDINANCE AMENDING ARTICLE III, MEETINGS OF TOWNSHIP COUNCIL, SECTION 2-3.2, REGULAR MEETINGS OF THE MUNICIPAL CODE OF THE TOWNSHIP OF SPARTA



8. OPEN TO THE PUBLIC

Resolutions

9. RESOLUTIONS

- 9-1** Resolution Authorizing Refunds for Tax Overpayments
- 9-2** Resolution Authorizing Refunds for Tax Overpayments-Block 2008, Lot 18
- 9-3** Resolution Authorizing Refunds for Tax Overpayments-Block 16005, Lot 84
- 9-4** Resolution to Adopt 2023 Municipal Budget -Title Only
- 9-5** Resolution of Consent Authorizing the Assignment of Planet Networks, Inc.'s Approval to use the Public Rights of Way Within the Township of Sparta to Planet Fiber NJ LLC
- 9-6** Resolution Authorizing Participation in County of Sussex Volunteer Fire and Emergency Medical Services grant Program Funded by the American Rescue Plan Act's (ARPA) Coronavirus State and Local Fiscal Recovery Funds (CSLFRF), Assistance Listing #21.027
- 9-7** Resolution of the Township of Sparta Approving the Collective Bargaining Agreement Between the Superior Officers Association of the Fraternal Order of Police, Spartan Lodge #26A (SOA/FOP) and the Township of Sparta

10. COUNCIL LIAISON' UPDATES

11. UNFINISHED BUSINESS

12. NEW BUSINESS



13. OPEN TO THE PUBLIC

14. ADJOURNMENT



9-1 Resolution Authorizing Refunds for Tax Overpayments

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

BLOCK	LOT	ADDRESS	AMOUNT
5005	11	163 West Shore Trl	\$2,582.97
4016	56	54 Alpine Trl	\$2,462.64

9-2 Resolution Authorizing Refunds for Tax Overpayment-Block 2008, Lot 18

WHEREAS, the property owner of Block 2008, Lot 18, was previously approved for a 50% exemption in accordance with N.J.S.A 54:4-30.30;

WHEREAS, the Assessor approved a 100% exemption as of the property deed date of April 25, 2023;

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Sparta that the Tax Collector refund taxes in the amount of \$527.80 and cancel 2023 tax balance;

Q2 2023 \$527.80

9-3 Resolution Authorizing Refunds for Tax Overpayment-Block 16005, Lot 84

WHEREAS, the property owner of Block 16005, Lot 84, is 100% exempt accordance with N.J.S.A 54:4-30.30;

WHEREAS, the Assessor approved the exemption as of December 12, 2021.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Sparta that the Tax Collector refund taxes in the amount of \$16,615.53 and refund/cancel 2023 taxes when tax rate is determined;

Q4 2021 \$ 779.22 (prorated)
Q1-Q4 2022 \$ 15,836.31



9-4 Resolution to Adopt the 2023 Municipal Budget -Title Only

BE IT RESOLVED by the Township Council of the Township of Sparta that the budget be read by title only inasmuch as the conditions set forth in N.J.S.A. 40:4-55 as follows have been met: that a complete copy of the approved budget was posted in the Municipal Building and copies of said budget were made available to each person requesting the same prior to a public hearing to be held on June 13, 2023.

(Please see last attachment)

9-5 Resolution of Consent Authorizing the Assignment of Planet Networks, Inc.’s Approval to use the Public Rights of Way Within The Township of Sparta to Planet Fiber NJ LLC

WHEREAS, Planet Networks, Inc. ("PNI") is a fiber based broadband communications services provider authorized by the New Jersey Board of Public Utilities ("NJBP") to provide local exchange and interexchange telecommunications services throughout the State of New Jersey¹; and

WHEREAS, PNI obtained authorization from the Township of Sparta for use of its public rights-of-way by way of Resolution #19-136 and the Rights-of-Way Use Agreement dated October 16, 2019 ("Local Approval") for the provision of its services; and

WHEREAS, Planet Fiber NJ LLC, a New Jersey limited liability company ("PFN"), informed the Township of Sparta that it is a wholly owned subsidiary of PNI; and

WHEREAS, PFN has a mailing address of 4 Park Place, Newton, New Jersey 07860; and

WHEREAS, PFN has informed the Township of Sparta, as part of a corporate restructuring, PNI intends to assign its right-of-way agreements to PFN; and

WHEREAS, PNI and PFN represents to the Township of Sparta that such a transfer will have no impact or effect on PNI’s customers and will allow for greater expansion of PNI’s existing broadband footprint.; and



WHEREAS; the above referenced corporate restructuring requires NJBPU approval; and

WHEREAS; PFN petitioned the NJBPU for said approval by way of a matter entitled In the Matter of the Petition of Planet Fiber NJ, LLC. for Authorization to Provide Local Exchange Telecommunications Services Through the State of New Jersey, Docket Number TE23030140 (“PFN Petition”), which is currently pending; and

WHEREAS, PNI has requested that the Township of Sparta approve the assignment of the Local Approval to PFN; and

WHEREAS, based on the representations made by PNI and PFN to the Township of Sparta, it appears that it is in the best interest of the Township of Sparta and its citizens to approve the assignment of the Local Approval from PNI to PFN.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Sparta, County of Sussex, State of New Jersey, hereby approves the above referenced assignment from PNI to PFN, conditioned on PFN assuming all of PNI’s obligations and responsibilities to the Township of Sparta under Resolution #19-136, the Rights-of-Way Use Agreement dated October 16, 2019 and applicable law and regulations, and further conditioned on the NJBPU’s approval of the PFN Petition. This Resolution is further conditioned on PFN providing the Township of Sparta with a written assignment and assumption agreement by which PFN assumes all obligations and responsibilities to the Township of Sparta under Resolution #19-136 and the Rights-of-Way Use Agreement dated October 16, 2019.

This Resolution shall take immediately, however it shall be void and of no effect in the event that the NJBPU denies the PFN Petition, or if it approves the PFN Petition with conditions that negatively effect the Township of Sparta and/or its residents.

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.

9-6 Resolution Authorizing Participation in County of Sussex Volunteer Fire and Emergency Medical Services grant Program Funded by the American



Rescue Plan Act's (ARPA) Coronavirus State and Local Fiscal Recovery Funds (CSLFRF), Assistance Listing #21.027

WHEREAS, the U.S. Department of the Treasury, Coronavirus State and Local Fiscal Recovery Funds (CSLFRF), Assistance Listing #21.027, was established by the American Rescue Plan Act of 2021, to provide \$350 billion in emergency funding for eligible state, local, territorial, and tribal governments; and

WHEREAS, local governments are permitted to direct these CSLFRF dollars under eligible category 2.34 Negative Economic Impacts, Assistance to Impacted Non-Profit Organizations so that they may use the grant funds to recover from the economic impacts of COVID-19; and

WHEREAS, the County of Sussex has created a Volunteer Fire and Emergency Medical Services Grant Program, directing up to \$410,000.00 in total for the program; and

WHEREAS, distribution of this grant will use American Rescue Plan Act of 2021 (ARPA) funding, and as such has been determined to be included within one (1) of the four (4) statutory categories, and is compliant with 31 CFR Part 35; and

WHEREAS, the Board of County Commissioners approved Resolution 213-2023 authorizing the use of funds received under the American Rescue Plan Act for the Volunteer Fire and Emergency Medical Services Grant Program allowing up to \$10,000 per volunteer organization; and

WHEREAS, the County requests authorization by the municipality to participate in the grant program and requests identification of the Volunteer Fire Companies and Emergency Medical Service Organizations that serve each municipality; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Sparta Township in the County of Sussex, State of New Jersey does hereby authorize participation in the Volunteer Fire and Emergency Medical Services Grant Program; and

BE IT FURTHER RESOLVED that the governing body of Sparta Township recognizes the following volunteer organizations that serve this municipality: Sparta Township Fire Department; and Sparta Ambulance Service; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the County CFO/Treasurer and the County Qualified Purchasing Agent.



9-7 Resolution of the Township of Sparta Approving the Collective Bargaining Agreement Between the Superior Officers Association of the Fraternal Order of Police, Spartan Lodge #26A (SOA/FOP) and the Township of Sparta

WHEREAS, Sparta Township has negotiated a Collective Bargaining Agreement (“CBA”) with the Superior Officers Association of the Fraternal Order of Police, Spartan Lodge #26A (SOA/FOP) for the period January 1, 2022 through December 31, 2024.

NOW, THEREFORE, BE IT RESOLVED by the Sparta Township Council that the Collective Bargaining Agreement between the Township of Sparta and the Superior Officers Association of the Fraternal Order of Police, Spartan Lodge #26A (SOA/FOP) for the period January 1, 2022 through December 31, 2024 is hereby approved and the Mayor, after final approval of the Interim Township Manager and Township Attorney, is authorized to execute the Collective Bargaining Agreement on behalf of the Township of Sparta; and

BE IT FURTHER RESOLVED that this Resolution shall be null and void should Superior Officers Association of the Fraternal Order of Police, Spartan Lodge #26A (SOA/FOP) fail to approve this Collective Bargaining Agreement and have it executed by a duly authorized representative.

BE IT FURTHER RESOLVED that this 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.