

**BRIDGEWATER TOWNSHIP PLANNING BOARD**  
**Reorganization & Regular Meeting**  
**Tuesday, January 10, 2012**  
**—MINUTES—**

**CALL MEETING TO ORDER:**

Board Attorney Thomas Collins called the Reorganization Meeting of the Bridgewater Township Planning Board to order at 7:00 pm at the Municipal Courtroom, 100 Commons Way, Bridgewater, New Jersey.

**OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT:**

Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act N.J.S.A. 10:4-6. On January 19, 2012, proper notice was sent to the Courier Newspaper and the Star-Ledger and filed with the Clerk at the Township of Bridgewater and posted on the bulletin board in the Municipal Building.

Please be aware of the Planning Board policy for public hearings: no new applications will be heard after 10:00 pm and no new testimony will be taken after 10:15 pm. Hearing Assistance is available upon request.

**SALUTE TO FLAG:**

The board saluted the flag.

**SWEAR IN MEMBERS:**

Class I - Mayor Daniel J. Hayes; Class II – Steve Rodzinak, Class III – T.B.D.; Class IV (Alternate 2) - James V. Franco board members were all sworn-in by Board Attorney Thomas Collins.

**ROLL CALL:**

Mayor Daniel J. Hayes – present	Mrs. Barbara J. Kane- present
Mr. Steve Rodzinak – present	Mr. Ron Charles – <b>absent</b>
Mrs. Joanne Kane – present	Mr. Robert Albano – <b>absent</b>
Mrs. N. Janine Dickey – present	Mr. James V. Franco – present

Others present: Thomas F. Collins, Board Attorney, Scarlett Doyle, P.P., Board Planner, Robert C. Bogart, P.E., Board Engineer, and Danielle A. Britton, Planning Division Secretary.

**RESOLUTIONS FOR REORGANIZATION:**

**Election of Chairperson**

Motion by Mayor Hayes, second by B. Kane, J. Kane was elected Chairperson for 2012 on the following roll call vote:

AFFIRMATIVE:	Mayor Hayes, S. Rodzinak, J. Dickey, B. Kane, J. Franco
ABSENT:	R. Charles, R. Albano

**Election of Vice-Chairperson**

Motion by Mayor Hayes, second by S. Rodzinak, B. Kane was elected Vice-Chairperson for 2012 on the following roll call vote:

AFFIRMATIVE: Mayor Hayes, S. Rodzinak, J. Dickey, Chairperson J. Kane,  
J. Franco  
ABSENT: R. Charles, R. Albano

**Appointment of Board Secretary**

Motion by Chairperson J. Kane, second by S. Rodzinak, Scarlett Doyle, P.P. was appointed Board Secretary for 2012 on the following roll call vote:

AFFIRMATIVE: Mayor Hayes, Chairperson J. Kane, S. Rodzinak, J. Dickey,  
B. Kane, J. Franco  
ABSENT: R. Charles, R. Albano

**Appointment of Assistant Board Secretary**

Motion by Chairperson J. Kane, second by S. Rodzinak, Danielle A. Britton was appointed Assistant Board Secretary for 2012 on the following roll call vote;

AFFIRMATIVE: Mayor Hayes, Chairperson J. Kane, S. Rodzinak, J. Dickey,  
B. Kane, J. Franco  
ABSENT: R. Charles, R. Albano

**Appointment of Board Professionals:**

→*Board Attorney – Thomas Collins, Esq. of Vogel Chait, Collins & Schneider*

**RESOLUTION OF THE PLANNING BOARD OF THE  
TOWNSHIP OF BRIDGEWATER RATIFYING AND AUTHORIZING  
THE AWARD OF A CONTRACT FOR PROFESSIONAL  
SERVICES TO THOMAS F. COLLINS, JR., ESQ. OF  
THE LAW FIRM OF VOGEL, CHAIT, COLLINS & SCHNEIDER**

**WHEREAS**, the Planning Board of the Township of Bridgewater will require professional services for legal services; and

**WHEREAS**, the above-mentioned services can be performed adequately and effectively by Thomas F. Collins, Jr., Esq., a Member of the Firm of Vogel, Chait, Collins & Schneider; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-5, permits a contract for professional services to be awarded without the need for competitive bids; and

**WHEREAS**, it is the intent of the Planning Board of the Township of Bridgewater to approve an agreement with Thomas F. Collins, Jr. at an hourly rate of \$165.00 per hour; and

**WHEREAS**, such award of contract shall be made **as a non – fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5**,

**WHEREAS**, the Thomas F. Collins, Jr., Esq. and Vogel, Chait, Collins & Schneider has completed and submitted a **Business Entity Disclosure Certification to the Township, prior to the adoption of this Resolution**, which certifies that Thomas F. Collins, Jr., Esq. (including any individual with an ownership “interest” or control of more than 10% of its profits or assets or 10% of its stock, if a corporation, or any of its principals, partners, officers or directors or their spouses) has not made any reportable contributions to a political or candidate committee in the name of Howard Norgalis, Matthew Moench, Allen Kurdyla, Chris Rose and/or Mayor Daniel J. Hayes Jr. and that the contract will prohibit Thomas F. Collins, Jr., Esq. from making any reportable contributions, contrary to N.J.S.A. 19:44A-20.5, through the term of their contract with the municipality; and

**WHEREAS**, Thomas F. Collins, Jr., Esq. and Vogel, Chait, Collins & Schneider have completed and submitted to the Township, in accordance with the New Jersey Local Unit Pay to Play Laws (N.J.S.A. 19:44A-20.4 et seq.) a **Political Contribution Disclosure Form** (submitted at least 10 days prior to the adoption of this Resolution) as well as a **New Jersey Business Registration Certificate and a Stockholder Disclosure Certification** (prior to the adoption of this Resolution) and acknowledges that the

statutory terms and conditions relating to the Political Contribution Disclosure including the possible need to file an annual disclosure statement with the New Jersey Election Law Enforcement Commission are contained as separate provisions within the Township Professional Services Agreement which Thomas F. Collins, Jr., Esq. and Vogel, Chait, Collins & Schneider will be required to sign; and

**WHEREAS**, James T. Naples, the Township Administrator, has determined and certified in writing that the value of the acquisition of such services will exceed \$17,500, that document being entitled **Certificate of Value**; and

**WHEREAS**, a **certification affirming the availability of funds** in accordance with N.J.A.C. 5:34-5.1 et seq. has been provided by the Chief Financial Officer of the Township and is attached hereto and made a party hereof, and

**WHEREAS**, N.J.S.A. 40A:11-5 requires that the award for professional services be publicly advertised;

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Board of the Township of Bridgewater, County of Somerset, State of New Jersey, as follows: The Planning Board of the Township of Bridgewater hereby approves the contract with Thomas F. Collins, Jr., Esq. from **January 1, 2012 through December 31, 2012**.

The Chairman and Secretary of the Planning Board are authorized and directed to enter into a contract with Thomas F. Collins, Jr., Esq. for legal services for the period from **January 1, 2012 through December 31, 2012** in accordance with the contract attached hereto and made a part hereof.

This contract is entered into without competitive bidding as a "professional service" pursuant to the Local Public Contracts Law as this is a professional service within the meaning of that law.

Notification of this appointment will be published in the Planning Board's official newspaper, within ten (10) days of passage as required by law.

Motion by B. Kane, second by J. Kane, the Board adopted the forgoing resolution on the following roll call vote:

**AFFIRMATIVE:** Mayor Hayes, Chairperson J. Kane, S. Rodzinak, J. Dickey,  
B. Kane, J. Franco

**ABSENT:** R. Charles, R. Albano

→*Board Engineer – Robert C. Bogart, P.E.*

**RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF BRIDGEWATER  
APPOINTING THE TOWNSHIP ENGINEER, ROBERT C. BOGART, P.E. AS THE  
PLANNING BOARD ENGINEER**

**WHEREAS**, the Planning Board of the Township of Bridgewater will require engineering services for the Board; and

**WHEREAS**, the above mentioned services can be performed adequately by Robert C. Bogart who is employed as the Township Engineer of the Township of Bridgewater; and

**WHEREAS**, it is the intent of the Planning Board of the Township of Bridgewater to appoint Robert C. Bogart, P.E as the Board Engineer commencing January 1, 2012 thru December 31, 2012.

**NOW, THEREFORE, BE IT RESOLVED**, the Planning Board of the Township of Bridgewater, County of Somerset, State of New Jersey, as follows:

**The Planning Board of the Township of Bridgewater hereby appoints Robert C. Bogart, P.E. as the Board Engineer for 2012, commencing January 1, 2012 thru December 31, 2012.**

Motion by B. Kane, second by Chairperson J. Kane, the Board adopted the forgoing resolution on the following roll call vote:

AFFIRMATIVE: Mayor Hayes, Chairperson J. Kane, S. Rodzinak, B. Kane,  
J. Dickey, J. Franco  
ABSENT: R. Charles, R. Albano

→Board Planner – *Scarlett Doyle, P.P. of John Cilo, Jr. Associates*

**RESOLUTION OF THE PLANNING BOARD OF THE  
TOWNSHIP OF BRIDGEWATER RATIFYING AND AUTHORIZING  
THE AWARD OF A CONTRACT FOR PROFESSIONAL  
SERVICES TO SCARLETT DOYLE, P.P. OF  
THE FIRM OF JOHN CILO ASSOCIATES, INC.**

**WHEREAS**, the Planning Board of the Township of Bridgewater will require professional services for planning services; and

**WHEREAS**, the above-mentioned services can be performed adequately and effectively by Scarlett Doyle, P.P., a Member of the Firm of John Cilo Associates, Inc.; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-5, permits a contract for professional services to be awarded without the need for competitive bids; and

**WHEREAS**, it is the intent of the Planning Board of the Township of Bridgewater to approve an agreement with Scarlett Doyle at an hourly rate of \$110.00 per hour; and

**WHEREAS**, such award of contract shall be made **as a non – fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5,**

**WHEREAS**, James T. Naples, the Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

**WHEREAS**, N.J.S.A. 40A:11-5 requires that the award for professional services be publicly advertised;

**WHEREAS**, N.J.S.A. 40A:11-5 requires that the award for professional services be publicly advertised;

**WHEREAS**, Scarlett Doyle, P.P. and John Cilo Associates, Inc. completed and submitted a **Business Entity Disclosure Certification to the township, prior to the adoption of this Resolution**, which certifies that Scarlett Doyle, P.P. (including any individual with an ownership “interest” or control of more than 10% of its profits or assets for 10% of its stock, if a corporation, or any of its principals, partners, officers or directors or their spouses) has not made any reportable contributions to a political or candidate committee in the name of Allen Kurdyla, Howard Norgalis, Chris Rose, Matthew Moench, and/or Mayor Daniel J. Hayes, Jr. and that the contract will prohibit Scarlett Doyle, P.P. and John Cilo Associates, Inc. from making any reportable contributions, contrary to N.J.S.A. 19:44A-20.5, through the term of their contract with the municipality; and

**WHEREAS**, Scarlett Doyle, P.P. and John Cilo Associates, Inc. have completed and submitted to the Township, in accordance with the New Jersey Local Pay to Play Laws (N.J.S.A. 19:44A-20.4 et seq.) a **Political Contribution Disclosure Form** (submitted at least 10 days prior to the adoption of this Resolution) as well as a **New Jersey Business Registration Certificate and a**

**Stockholder Disclosure Certification** (prior to the adoption of this Resolution) and acknowledges that the statutory terms and conditions relating to the Political Contribution Disclosure including the possible need to file an annual disclosure statement with the New Jersey Election Law Enforcement Commission are contained as separate provision within the Township Professional Services Agreement which Scarlett Doyle, P.P. and John Cilo Associates, Inc. will be required to sign; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Board of the Township of Bridgewater, County of Somerset, State of New Jersey, as follows:

1. The Planning Board of the Township of Bridgewater hereby approves the contract with Scarlett Doyle from January 1, 2012 through December 31, 2012.
2. The Chairman and Secretary of the Planning Board are authorized and directed to enter into a contract with Scarlett Doyle for planning services for the period from January 1, 2012 through December 31, 2012 in accordance with the contract attached hereto and made a part hereof.
3. This contract is entered into without competitive bidding as a "professional service" pursuant to the Local Public Contracts Law as this is a professional service within the meaning of that law.
4. A copy of this resolution will be published in the Planning Board's official newspaper, within ten (10) days of passage as required by law.

Motion by B. Kane, second by S. Rodzinak, the Board adopted the forgoing resolution on the following roll call vote:

**AFFIRMATIVE:** Mayor Hayes, Chairperson J. Kane, S. Rodzinak, J. Dickey,  
B. Kane, J. Franco  
**ABSENT:** R. Charles, R. Albano

→*Designation of Meeting Dates, Time and Place*

**BE IT RESOLVED** by the Planning Board of the Township of Bridgewater that the following schedule of dates and times for Regular Meetings respectively be established for 2012 and that all scheduled meetings shall convene at 7:00 p.m. at the Bridgewater Township Municipal Courtroom, 100 Commons Way, Bridgewater Township, NJ.

January 23	February 14, 27	March 13, 26	April 10, 23
May 8	June 12, 25	July 10, 23	August 14, 27
September 11, 24	October 9, 22	November 13, 26	December 11

BE IT FURTHER RESOLVED that the 2013 Annual Reorganization Meeting followed by the Regular Meeting shall be held on January 8, 2013, at 7:00 p.m. at the Bridgewater Township Municipal Courtroom, 100 Commons Way, Bridgewater Township, NJ.

Motion made by S. Rodzinak, second by B. Kane, the Board adopted the forgoing resolution on the following roll call vote:

**AFFIRMATIVE:** Mayor Hayes, Chairperson J. Kane, S. Rodzinak, J. Dickey,  
B. Kane, J. Franco  
**ABSENT:** R. Charles, R. Albano

**Designation of Official Newspapers**

**BE IT RESOLVED** by the Planning Board of the Township of Bridgewater that The Courier News is hereby designated the official newspaper of the Planning Board for 2012; and

**BE IT FURTHER RESOLVED**, that The Courier News and The Star Ledger are hereby designated to receive all notices of Planning Board meetings in 2012 as required under the Open Public Meetings Act.

Motion by B. Kane, second by S. Rodzinak, the Board adopted the forgoing resolution on the following roll call vote:

AFFIRMATIVE: Mayor Hayes, Chairperson J. Kane, J. Dickey, B. Kane,  
S. Rodzinak, J. Franco  
ABSENT: R. Charles, R. Albano

**APPROVAL OF BOARD MINUTES:**

December 13, 2011 Regular Meeting – Motion by S. Rodzinak, second by B. Kane the foregoing minutes were adopted and presented on unanimous voice-vote.

**MEMORIALIZATION OF RESOLUTIONS:**

GEN III – Fox Chase at Bridgewater  
Block 173, Lot 2 (Route 22 & Traci Road)  
#67-04-PB, Re: Amended Preliminary and Final Site Plan  
(amend conditions of resolution)

**DECISION: To be made at next upcoming Planning Board meeting**

-----  
**LAND DEVELOPMENT APPLICATIONS:**

**Somerset County Courteous Review  
Public Safety Radio Network  
Block 801, Lot 20 – Miller Lane  
(1300 sq. ft. area within 7.5 acre parcel owned by Somerset County)**

Mr. William P. Robertson, Esq. represented Somerset County’s capital improvement project, and introduced Mr. Christopher Melick, PLS. Mr. Melick was sworn in as a witness. He explained the County’s need to replace an existing tower and a 152 ft. new tower is proposed. The existing tower would be demolished. Structural improvements are also proposed, which includes new fencing but does not change the proposed height of the tower.

Chairperson J. Kane opened the meeting to the public. There was no public comment.

Motion made by S. Rodzinak, second by B. Kane, the foregoing presentation was reviewed by the Board on the following roll call vote:

AFFIRMATIVE: Mayor Hayes, Chairperson J. Kane, J. Dickey, B. Kane,  
S. Rodzinak, J. Franco  
ABSENT: R. Charles, R. Albano

-----  
**MEETING OPEN TO THE PUBLIC:**

There were no members of the public wishing to address the Board on any matter not listed on the agenda.

**BOARD BUSINESS:**

No further board discussion(s).

**CLOSED SESSION:**

Motion made by B. Kane, seconded by Chairperson J. Kane to enter into Closed Session.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Township of Bridgewater, County of Somerset, State of New Jersey, that the Board hereby authorized a closed or executive session pursuant to Section 7 and 8 of the Open Public Meetings Act to discuss matters of attorney client privileged communication and pending litigation in the matter of Al Falah Center et al v. Township of Bridgewater et al. The matters to be discussed are to remain confidential until the confidentiality of the matters is no longer required. The Board entered into closed session on the following roll call vote:

AFFIRMATIVE: Mayor Hayes, Chairperson J. Kane, J. Dickey, B. Kane,  
S. Rodzinak, J. Franco

ABSENT: R. Charles, R. Albano

The Board returned to open session with all Board members present as before.

**ADJOURNMENT:**

The board adjourned the meeting.

Respectfully submitted,  
Danielle A. Britton  
Secretary to Planning Division