

BRIDGEWATER TOWNSHIP PLANNING BOARD
Reorganization & Regular Meeting
Tuesday, January 7, 2014
—MINUTES—

1. CALL MEETING TO ORDER:

Board Attorney Thomas Collins called the meeting to order at 7: 14 p.m. in the Municipal Courtroom, 100 Commons Way, Bridgewater, New Jersey.

2. 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 9, 2013, 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.

3. SALUTE TO FLAG:

There was salute to colors.

4. SWEAR IN MEMBERS:

Board Attorney Collins read the Oath of Office and each of the following members was sworn in: Stephen Rodzinak, Class II; James Franco, Class IV; Ron Charles, Class IV, Environmental Representative, Walter F. Rusak, Class IV, Tricia Casamento, Alt. #1 and Councilman Matthew Moench.

5. ROLL CALL:

Stephen Rodzinak – present	Ron Charles – present
James Franco – present	Barbara Kane – absent
Walter Rusak – present	Mayor Dan Hayes – present
Councilman Matthew Moench – present	Tricia Casamento, Alt. #1 – present

Others present: Board Attorney Thomas Collins, Board Engineer Robert C. Bogart, Board Planner Scarlett Doyle, Recording Secretary Marianna Voorhees

6. RESOLUTIONS FOR REORGANIZATION:

Election of Chairperson

Mayor Hayes nominated Walter Rusak as Chairman for 2014.

Motion by Mayor Hayes, second by Councilman Moench, Walter Rusak was elected Chairman on unanimous voice vote of those present.

Election of Vice-Chairperson

Mayor Hayes nominated Barbara Kane as Vice-Chairwoman for 2014.

Motion by Mayor Hayes, second by Councilman Moench, Barbara Kane was elected Vice-Chairwoman on unanimous voice vote of those present.

Appointment of Board Secretary

Mayor Hayes nominated Planner Scarlett Doyle as Board Secretary.

Motion by Mayor Hayes, second by Councilman Moench, Planner Scarlett Doyle was appointed Board Secretary for 2014 on unanimous voice vote of those present.

Appointment of Assistant Board Secretary

Mayor Hayes nominated Marianna Voorhees as Assistance Board Secretary.

Motion by Mayor Hayes, second by Councilman Moench, Marianna Voorhees was appointed Assistant Board Secretary for 2014 on unanimous voice vote of those present.

Appointment of Board/Service Professionals:

**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:

1. The Planning Board of the Township of Bridgewater hereby approves the contract with Thomas F. Collins, Jr., Esq. from **January 1, 2014 through December 31, 2014**.
2. 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, 2014 through December 31, 2014** 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. 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 Mayor Hayes, second by Councilman Moench, the Board appointed Attorney Thomas Collins as Board Attorney for 2014, which carried on unanimous voice vote of those present.

**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, 2014 thru December 31, 2014.

NOW, THEREFORE, BE IT RESOLVED, 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 appoints Robert C. Bogart, P.E. as the Board Engineer for 2014, commencing January 1, 2014 thru December 31, 2014.

Motion by Mayor Hayes, second by Councilman Moench, the Board appointed Robert C. Bogart, PE as the Board Engineer for 2014 on unanimous voice vote of those present.

**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, 2014 through December 31, 2014.
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, 2014 through December 31, 2014 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 Mayor Hayes, second by Councilman Moench, the Board appointed Scarlett Doyle as Board Planner on unanimous voice vote of those present.

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 2014 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 7	February 11, 24	March 11, 24	April 8, 28
May 13	June 10, 23	July 8, 28	August 12, 25
September 9, 22	October 14, 27	November 24	December 9, 22

BE IT FURTHER RESOLVED that the 2015 Annual Reorganization Meeting followed by the Regular Meeting shall be held on January 13, 2015, at 7:00 p.m. at the Bridgewater Township Municipal Courtroom, 100 Commons Way, Bridgewater Township, NJ.

Motion by Councilman Moench, second by Mr. Franco, the foregoing designation of meeting dates, time and place were adopted on unanimous voice vote of those present.

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 **2014**; 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 **2014** as required under the Open Public Meetings Act.

Motion by Mr. Rodzinak, second by Mr. Charles, the foregoing designation of official newspapers was adopted on unanimous voice vote of those present.

7. **APPROVAL OF BOARD MINUTES:**

November 12, 2013 Regular Meeting (pending)
December 9, 2013 Special Meeting (pending)

8. **MEMORIALIZATION OF RESOLUTIONS:**

SKYMANOR PROPERTIES, LLC

Block 221 Lot 32

#13-025-PB - Minor Subdivision with no variances

DECISION: Approved w/conditions 12/9/13

Motion by Councilman Moench, second by Mr. Rodzinak, the foregoing resolution memorializing the approval with conditions on 12/9/13 was adopted as presented on the following roll call vote:

AFFIRMATIVE: Mr. Rodzinak, Mr. Charles, Mr. Franco, Councilman Moench,
Mayor Hayes

ABSENT: Mrs. Kane

NOT ELIGIBLE: Chairman Rusak, Mrs. Casamento

9. **LAND DEVELOPMENT APPLICATIONS:**

No applications presented.

10. **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.

11. **ADJOURNMENT:**

It was the consensus of the Board to adjourn the meeting at approximately 7:30 pm.

Respectfully submitted,
Marianna Voorhees,
Secretary to Engineering/
Planning Division