

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
April 21, 2014 COUNCIL CHAMBERS

The Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, convened in a regular session on Monday, April 21, 2014 at 7:30 p.m. in Council Chambers in the Municipal Complex, Bridgewater, New Jersey 08807.

Council President Moench read the following announcement:

Notice of Meeting

In compliance with the Open Public Meetings Act of New Jersey, adequate notice of this meeting was provided on January 7, 2014 by sending written and electronic notice to the Courier News and the Star Ledger, posting on the Township website and on the bulletin board in the Municipal Building, and filing with the Township Clerk.

On call of the roll, the following Council members were present:

Allen Kurdyla
Howard V. Norgalis
Filipe Pedroso
Christine Henderson Rose
Council President Matthew C. Moench

Also Present: James T. Naples, Township Administrator
William B. Savo, Township Attorney
Natasha, Director of Finance
Robert C. Bogart, Township Engineer
Linda J. Doyle, Township Clerk

Council President Moench led the audience in the Pledge of Allegiance.

Council Reports

Councilman Pedroso reported he attended the Centerbridge Board meeting. He reminded everyone of earth day on 4/22/14 and Bradley Garden's Little Loop opening day on 4/26/14. He added the creative arts committee will be hosting an exhibit featuring the artistic and musical talent of Bridgewater residents with special needs or disabilities. The exhibit will be held on April 28, 2014 from 4pm - 6:30 pm at the Bridgewater Township Municipal Building.

Councilman Norgalis reported Rocque Dameo, a Bridgewater Legend passed away. Paul Riga's (Board of Adjustment Member) mother also passed away. He advised the "Strive for Five" 5K Run at Duke Island Park is scheduled for 4/27/14. He also advised the utility companies on occasion contract out to test the poles for termites or bug infestations so there is going to be activity around

the utility poles. Councilman Norgalis further advised he will be attending the Little Loop opening day.

Councilwoman Rose met with the animal shelter board and the historic committee. She too will be in attendance at the Little Loop opening day.

Councilman Kurdyla reported he will be attending the Bradley Garden's Little Loop opening day

Council President Moench reported as follows:

- Attended the opening of a medical office headed by Dr. Boqing Chen MD, Ph.D., a leader on interventional pain management.
- Attended "The battle of Bound Brook"
- Advised a continuation of the Al-Falah application with the Planning Board is scheduled for 4/22/14.
- Will be attending the Little Loop opening day
- Will be attending the 5K run
- Met with Erica Ferry who is in charge of sanofi local government affairs
- Reminded everyone of the next Somerset County Governing officials meeting scheduled for 5/15/14. The guest speaker will be Former Senator Jeff Kiaso
- Reminded everyone the Citizen of the Year Dinner is scheduled for 5/1/14
- Is scheduled to meet with NJ Pace to discuss their Clean Energy program

Mayor's Report

Township Administrator Naples advised he and Finance Director Natasha have met with NJ Pace and will follow up with them concerning the details of their program.

2014 MUNICIPAL BUDGET

PUBLIC HEARING 2014 BUDGET AMENDMENTS

On motion of Councilwoman Rose, second by Councilman Norgalis, the meeting was opened up for public hearing.

No one wished to be heard.

On motion of Councilwoman Rose, second by Councilman Norgalis, the public portion was closed.

Councilman Norgalis made motion to approve the adoption of 2014 budget amendments. The motion was seconded by Councilwoman Rose and carried on the following roll call vote:

Councilman Kurdyla	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Aye
Councilwoman Rose	Aye
Council President Moench	Aye

THE 2014 BUDGET AMENDMENT was approved.
A copy of resolution #14-04-21-094 is appended to the official minutes.

ADOPTION OF THE 2014 MUNICIPAL BUDGET

Councilman Norgalis made motion to approve the 2014 Municipal budget. The motion was seconded by Councilwoman Rose and carried on the following roll call vote:

Councilman Kurdyla	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Aye
Councilwoman Rose	Aye
Council President Moench	Aye

THE 2014 BUDGET was approved.
A copy of resolution #14-04-21-095 is appended to the official minutes.

**Public
Comment**

On motion of Councilwoman Rose, seconded by Councilman Norgalis, the meeting was opened to the public.

Members of the public wishing to address the Council on any matter will be allowed two minutes to speak, unless there are unusual circumstances.

Jim Giagchiglia, 13 Riha Street was present. He discussed issues with noise and intrusive lighting at the neighboring firehouse. Council President Moench advised the governing body does not have jurisdiction as it relates to fire houses. Mr. Giagchiglia was advised to contact James Bentz, president of the Finderne fire company and request a meeting.

Mike Parello, 861 North Branch Road was present. He asked that the first 200-ft of Juniper Lane off Country Club Road be resurfaced. Township Administrator Naples advised they are aware of the problem and are working to rectify it. This would be handled if there are funds available in the 2014 road capital budget.

Boy Scout Nick Ollo of Troop 88 was present for Citizenship and Community Merit Badge. He discussed the pot holes concern throughout the township. He also asked about volunteer opportunities with the Township. He was advised to

contact Township Administrator Naples to further discuss volunteering.

Bill Metz, 45 Shannon Road was present. He inquired about repairing the second part of Van Holten Road and the broken slides at Brown Park. Township Administrator Naples offered administration is aware and a plan is underway.

Council President Moench invited those present to discuss the Lane Brokaw house.

Don Esposito, 16 Running Brook Road was present. He noted he is the chairman of Somerset County Cultural and Heritage Commission's Grant Committee. As a resident, he urged Council to authorize the application to the Somerset County Historic Preservation Grant Program for the Lane Brokaw house noting it is the last outstanding Dutch plantation house in Somerset County and possibly in New Jersey. He added George Washington came in person to this home to offer condolences to Mrs. Brokaw's wife after the passing of Mr. Brokaw. Because of this home's historic significance and the structure itself, it will receive the highest priority in the next County grant program.

Larry Powers, 14 Campbell Court was present. He advised that a poll conducted by Somerset County Cultural and Heritage Commission found that 97% of the people in the County agreed that historic preservation related programs were important. He provided some history on this home from 1881.

Jesse Havens, a non Bridgewater resident stated she is interested in Somerset County history.

On motion of Councilman Norgalis, seconded by Councilwoman Rose, the public comment session was closed.

Resolutions

AUTHORIZING AN APPLICATION TO THE SOMERSET COUNTY HISTORIC PRESERVATION GRANT PROGRAM

Councilwoman Rose spoke in favor of this resolution noting the importance of preserving our history and urged the governing body to approve this application.

After deliberation, Council agreed to support this application. They further agreed to strike the following sentence from the resolution:

~~WHEREAS, the Township wishes to preserve the Lane Brokaw house; and~~

On motion of Councilman Norgalis, seconded by Councilwoman Rose, the foregoing resolution was proposed as amended. The vote was as follows:

Councilman Kurdyla	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Aye
Councilwoman Rose	Aye
Council President Moench	Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution #14-04-21-096 is appended to the official minutes

**Introduction
of New
Ordinances**

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$517,000 FOR VARIOUS PUBLIC WORKS EQUIPMENT, INCLUDING AN 8 YARD DUMP TRUCK WITH SNOW PLOW, HOTBOX, BACKHOE, PICK-UP TRUCK WITH SNOW PLOW, 28 SEAT PASSENGER BUS, PLAYGROUND EQUIPMENT AND INSTALLATION OF MEETING ROOM PARTITIONS, IN AND BY THE TOWNSHIP OF BRIDGEWATER, IN THE COUNTY OF SOMERSET, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$491,150 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.

Township Administrator Naples discussed the Improvements and the purposes for financing acquisition of public works equipment, including an 8 yard dump truck with snow plow, hotbox, backhoe, pick-up truck with snow plow, 28 seat passenger bus, playground equipment and installation of meeting room partitions at the Library.

Linda J. Doyle, Township Clerk read the following report:

BE IT RESOLVED that the said pending ordinance be passed on first reading and advertised as required by statute fixing the 5th of May 2014, at 7:30 p.m. prevailing time on said day as the time and the Bridgewater Township Municipal Court Chambers at 100 Commons Way in said Township as the place for hearing and final action; and

BE IT FURTHER RESOLVED that the Township Clerk shall forthwith post on the bulletin board in the Township Municipal Building at 100 Commons Way, a true copy of said ordinance and make copies available to members of the general public and spread the same upon the minutes of the meeting.

BE IT FURTHER RESOLVED, that the Director of Finance has electronically forwarded the Supplemental Debt Statement to the Division of Local Government Services in the Department of Community Affairs, Trenton, New Jersey.

On motion of Councilman Norgalis, seconded by Councilwoman Rose, the foregoing Ordinance was proposed for introduction. The vote was as follows:

Councilman Kurdyla	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Aye
Councilwoman Rose	Aye
Council President Moench	Aye

THE ORDINANCE WAS INTRODUCED.

A copy of resolution #14-04-21-097 is appended to the official minutes.

Councilman Pedroso left the meeting at approximately 8:30pm to attend a wake.

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$2,440,000 FOR VARIOUS SEWER UTILITY IMPROVEMENTS, INCLUDING RELINING OF SEWER MAINS AT VARIOUS LOCATIONS INCLUDING BRADLEY GARDENS AREA, FINDERNE AREA AND SOMERVILLE ROAD AREAS, ACQUISITION OF PICKUP TRUCKS WITH SNOW PLOWS AND ACQUISITION OF A VAC-CON TRUCK, IN AND BY THE TOWNSHIP OF BRIDGEWATER, IN THE COUNTY OF SOMERSET, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$2,440,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.

Township Administrator Naples discussed the proposed sewer utility improvements including relining of sewer mains.

Linda J. Doyle, Township Clerk read the following report:

BE IT RESOLVED that the said pending ordinance be passed on first reading and advertised as required by statute fixing the 5th of May 2014, at 7:30 p.m. prevailing time on said day as the time and the Bridgewater Township Municipal Court Chambers at 100 Commons Way in said Township as the place for hearing and final action; and

BE IT FURTHER RESOLVED that the Township Clerk shall forthwith post on the bulletin board in the Township Municipal Building at 100 Commons Way, a true copy of said ordinance and make copies available to members of the general public and spread the same upon the minutes of the meeting.

BE IT FURTHER RESOLVED, that the Director of Finance has electronically forwarded the Supplemental Debt Statement to the Division of Local

Government Services in the Department of Community Affairs, Trenton, New Jersey.

On motion of Councilwoman Rose, seconded by Councilman Kurdyla, the foregoing Ordinance was proposed for introduction. The vote was as follows:

Councilman Kurdyla	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Absent
Councilwoman Rose	Aye
Council President Moench	Aye

THE ORDINANCE WAS INTRODUCED.

A copy of resolution #14-04-21-098 is appended to the official minutes.

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$3,219,350 FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF BRIDGEWATER, IN THE COUNTY OF SOMERSET, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$3,058,382 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.

Township Administrator Naples discussed the proposed road improvements noting they are the road identified during the Council Road tour as well as two additional roads; a portion of Church Road and Quarry Lane in Martinsville. If the bids come in under budget, Juniper Lane is also on the list for repair.

Linda J. Doyle, Township Clerk read the following report:

BE IT RESOLVED that the said pending ordinance be passed on first reading and advertised as required by statute fixing the 5th of May 2014, at 7:30 p.m. prevailing time on said day as the time and the Bridgewater Township Municipal Court Chambers at 100 Commons Way in said Township as the place for hearing and final action; and

BE IT FURTHER RESOLVED that the Township Clerk shall forthwith post on the bulletin board in the Township Municipal Building at 100 Commons Way, a true copy of said ordinance and make copies available to members of the general public and spread the same upon the minutes of the meeting.

BE IT FURTHER RESOLVED, that the Director of Finance has electronically forwarded the Supplemental Debt Statement to the Division of Local Government Services in the Department of Community Affairs, Trenton, New Jersey.

On motion of Councilman Norgalis, seconded by Councilwoman Rose, the foregoing Ordinance was proposed for introduction. The vote was as follows:

Councilman Kurdyla	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Absent
Councilwoman Rose	Aye
Council President Moench	Aye

THE ORDINANCE WAS INTRODUCED.

A copy of resolution #14-04-21-099 is appended to the official minutes.

**Public
Comment**

On motion of Councilman Norgalis, seconded by Councilwoman Rose, the meeting was re-opened to the public.

Members of the public wishing to address the Council on any matter will be allowed two minutes to speak, unless there are unusual circumstances.

Jim Rokosny, 211 Church Rd. was present. He asked that Council not only pave part but all of Church Road.

On motion of Councilman Norgalis, seconded by Councilwoman Rose, the public comment session was closed.

**Introduction
of New
Ordinances**

AN ORDINANCE AMENDING CHAPTER 62 ENTITLED "BUILDING CONSTRUCTION," ARTICLE I ENTITLED "GENERAL PROVISIONS," SECTION 62-3 (CONSTRUCTION FEE SCHEDULE) OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER, FOR THE PURPOSE OF INCREASING THE CONSTRUCTION FEE SCHEDULE, SECTION 7, ELEVATOR FEES, WHERE REASONABLY APPROPRIATE, SO THAT SUCH FEE SCHEDULE IS CALCULATED TO REASONABLY COVER THE MUNICIPAL COSTS OF ENFORCING THE BUILDING CONSTRUCTION CODE REGULATIONS, ALL IN ACCORDANCE WITH N.J.A.C. 5:23-4.17 OF THE UNIFORM CONSTRUCTION CODE

Township Administrator Naples stated this will bring the fees stated on the Ordinance up to par with our current costs.

Linda J. Doyle, Township Clerk read the following report:

BE IT RESOLVED that the said pending ordinance be passed on first reading and advertised as required by statute fixing the 5th of May 2014, at 7:30 p.m. prevailing time on said day as the time and the Bridgewater Township Municipal

Court Chambers at 100 Commons Way in said Township as the place for hearing and final action; and

BE IT FURTHER RESOLVED that the Township Clerk shall forthwith post on the bulletin board in the Township Municipal Building at 100 Commons Way, a true copy of said ordinance and make copies available to members of the general public and spread the same upon the minutes of the meeting.

On motion of Councilman Norgalis, seconded by Councilwoman Rose, the foregoing Ordinance was proposed for introduction. The vote was as follows:

Councilman Kurdyla	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Absent
Councilwoman Rose	Aye
Council President Moench	Aye

THE ORDINANCE WAS INTRODUCED.

A copy of resolution #14-04-21-100 is appended to the official minutes.

Resolutions

AWARD OF CONTRACT TO RICHARD T. BARRETT PAVING CO., INC. FOR THE LIBRARY PARKING LOT RESURFACING PROJECT - PHASE 2 (WESTERLY PARKING LOT), IN THE SUM OF \$98,888.95

This will allow for construction services that will consist of pavement repairs and resurfacing, striping, and sidewalk replacement, and incidental work and restoration. The portion of the Library parking lot to be reconstructed is the westerly section. The bid includes all materials, equipment, and manpower.

On motion of Councilman Norgalis, seconded by Councilwoman Rose, the foregoing resolution was proposed. The vote was as follows:

Councilman Kurdyla	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Absent
Councilwoman Rose	Aye
Council President Moench	Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution #14-04-21-101 is appended to the official minutes

AUTHORIZING A CHANGE ORDER INCREASING THE PRICE FROM \$10,000 TO,

NOT TO EXCEED, \$60,000 FOR PERFORMANCE COLD PATCH FOR 2013-2014 IN ACCORDANCE WITH THE PROVISIONS OF N.J.A.C. 5:30-11.2; 5:30-11.3A 6 (I) AND (II) AND 5:30-11.5 AND AUTHORIZING THE ISSUANCE OF THE CHANGE ORDER TO THE CONTRACT/PURCHASE ORDER WITH WELDON MATERIALS, INC., BASED ON A UNIT PRICE OF \$140.00 PER TON.

The severe winter weather created an unusually significant number of potholes and damage to Township road requiring a substantial increase in the quantity of high performance cold patch to repair the potholes and roads. This Change Order to increase the quantity and the amount of the Contract to up to \$60,000 is not changing the quality or character of the materials being provided at the unit price of \$140.00 per ton.

On motion of Councilman Norgalis, seconded by Councilwoman Rose, the foregoing resolution was proposed. The vote was as follows:

Councilman Kurdyla	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Absent
Councilwoman Rose	Aye
Council President Moench	Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution #14-04-21-102 is appended to the official minutes

AUTHORIZATION APPROVING AN ADDITIONAL QUALIFIED MEMBER FOR INCLUSION OF VOLUNTEER MEMBERS OF THE GREEN KNOLL RESCUE SQUAD WHO QUALIFY FOR CONTRIBUTIONS UNDER THE TOWNSHIP LOSAP PROGRAM IN THE TOWNSHIP OF BRIDGEWATER, COUNTY OF SOMERSET

Township Administrator Naples noted this list now includes an additional qualified member who was inadvertently left out of the last list of members who qualify for contributions under the Township LOSAP program.

On motion of Councilman Norgalis, seconded by Councilwoman Rose, the foregoing resolution was proposed. The vote was as follows:

Councilman Kurdyla	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Absent
Councilwoman Rose	Aye
Council President Moench	Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution #14-04-21-103 is appended to the official minutes

AUTHORIZING EXECUTION OF AN ASSIGNMENT OF RIGHT OF FIRST REFUSAL FOR PROPERTY KNOWN AS LOT 28.01 IN BLOCK 705 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF BRIDGEWATER MORE COMMONLY KNOWN AS 791 NEWMANS LANE, MARTINSVILLE, NEW JERSEY

Township Attorney Savo explained that Bridgewater Township had the Right of First Refusal for this property. However, the Township and the County have reached an agreement for the Township to Assign the Right of First Refusal to the County. The Property will remain farmland restricted even if the option is exercised. In addition, the County will pay the Township the sum of \$250,000.00 for the Assignment of the Right of First Refusal to the Property.

Councilman Norgalis asked that the resolution title be amended to include the monies to be paid to the Township. The title was amended as follows:

AUTHORIZING EXECUTION OF AN ASSIGNMENT OF RIGHT OF FIRST REFUSAL FOR PROPERTY KNOWN AS LOT 28.01 IN BLOCK 705 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF BRIDGEWATER MORE COMMONLY KNOWN AS 791 NEWMANS LANE, MARTINSVILLE, NEW JERSEY AND A PAYMENT OF \$250,000.00 FROM SOMERSET COUNTY TO BRIDGEWATER TOWNSHIP

On motion of Councilman Norgalis, seconded by Councilwoman Rose, the foregoing resolution was proposed. The vote was as follows:

Councilman Kurdyla	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Absent
Councilwoman Rose	Aye
Council President Moench	Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution #14-04-21-104 is appended to the official minutes

AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE COMMUNITY VISITING NURSES ASSOCIATION FOR PUBLIC HEALTH NURSING SERVICES UNTIL DECEMBER 31, 2014 IN THE AMOUNT OF \$10,372.75

Township Administrator Naples advised we have in the past utilized the services of the Community of Visiting Nurses association for public health nursing services including administration of flu vaccinations and preventative education.

On motion of Councilman Norgalis, seconded by Councilwoman Rose, the foregoing resolution was proposed. The vote was as follows:

Councilman Kurdyla	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Absent
Councilwoman Rose	Aye
Council President Moench	Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution #14-04-21-105 is appended to the official minutes

WAIVER OF FIRE PERMIT FEE IN THE AMOUNT OF \$166 FOR PLAINFIELD AREA HUMANE SOCIETY IN CONNECTION WITH A GIFT WRAPPING EVENT TO BE HELD AT THE BRIDGEWATER COMMONS MALL ON SATURDAY, MAY 10, 2014

On motion of Councilman Norgalis, seconded by Councilwoman Rose, the foregoing resolution was proposed. The vote was as follows:

Councilman Kurdyla	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Absent
Councilwoman Rose	Aye
Council President Moench	Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution #14-04-21-106 is appended to the official minutes

**Closed
Session**

BE IT RESOLVED, by the Bridgewater Township Council that this body will now hold a closed meeting to discuss litigation.

When and if the matters discussed become public record, this will be made known to the public at that time.

The public is excluded from said meeting and further notice thereof is dispensed with all in accordance with Sections 8 and 4a of the Open Public Meetings Act.

On the motion of Councilman Norgalis, seconded by Councilwoman Rose, Council convened in closed session at 8:50 p.m.

A copy of resolution #14-04-21-107 is appended to the official minutes.

On the motion of Councilwoman Rose, seconded by Councilman Norgalis, the meeting reconvened to open session at approximately 9:00 p.m.

On the motion of Councilwoman Rose, seconded by Councilman Norgalis, the meeting adjourned at 9:00 p.m.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Matthew C. Moench
Council President