

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
SEPTEMBER 15, 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, September 15, 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
 Linda J. Doyle, Township Clerk

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

Minutes for Approval

The minutes listed below were moved for approval during the October 6, 2014 Township council Session.

Regular Session - September 8, 2014
Closed Session # 1 - September 8, 2014
Closed Session #2 - September 8, 2014

Council Reports

Councilman Norgalis reported the following:

- He attended the Bridgewater 911 Memorial Ceremony. He noted it was a moving service but wished more of the public had attended.
- He attended the NJ Alliance for Action meeting in Edison, guest speaker NJ Turnpike Authority Executive Director and the subject was roadwork.
- He also reported the Raritan Valley Rail Coalition, chaired by Peter Palmer discussed transit orientated development.

Councilman Pedroso reported he also attended the Bridgewater 9/11 Memorial Service.

Councilman Kurdyla reported the following:

- He attended the Bridgewater 9/11 Memorial Service.
- He attended the NJ State Firemen's Convention in Atlantic City during last week. The speakers addressed changes regulated through DCA and coverage problems throughout the state.
- He announced this Saturday, September 20, 2014, Operation Secure Shred Event will be held at the Municipal Complex from 9 am to 1 pm.

Councilwoman Christine Henderson Rose reported the following:

- She attended the Bridgewater 911 Memorial Ceremony on September 11, 2014
- She was present during the Board of Chosen Freeholders meeting where they distributed their Annual Municipal Use Services Commission Funding, Lynn Hurley accepted a \$5000.00 Ceremonial Check for their programs in recreation.
- She attended the Bridgewater Township Historical Bus Tour; it ran 2.5 hours went to Camp Middle Brook, the Complex Monument, Bradley Gardens Area and the Lane Brokaw house. She offered it was a nice and informative tour and distributed maps and information to the other councilmember's.
- She was pleased to report the County Committee reviewing the grant application for the Historical Survey will recommend to the Board of Chosen Freeholders that the grant application be funded.
- She advised Administration the tarp needed to be replaced at the Brokaw House. She noted there has been an electrical proposal submitted for work on the house and it's her understanding there may be a second proposal.
- She provided an update on the Somerset Regional Animal Shelter noting there have been many adoptions both dog and cat, and the overall shelter operations are doing well She reported the Shelter Board has hired Jersey Performance Management Consultant for recommendations on operating procedures, structure of Board and staffing who report will include an audit of operations. This report should be available end of October/November, 2014.

Council President Moench reported the following:

- He provided an update for the members from the last Planning Board Meeting with regard to the Sanofi Redevelopment Plan. He offered the Planning Board has voted to accept the recommendation that the property needs to be redeveloped. Council will be afforded to either

accept the recommendation for redevelopment or not and decide whether Council or the Planning Board will monitor the plan moving forward.

- He reported the Planning Board will continue the Al Falah application next week.
- As a Rutger's alum, he reported on the Rutger's - Penn State game last week as heartbreak.
- He reminded the John Basiione Parade will be held on Sunday, September 21, the parade begins at 1 p.m.
- He advised on Friday, the Newark Arch Diocese will have a Red Mass to honor Lawyers and Government Official. He plans to attend.
- He advised the President of Costa Rico will be coming to Bound Brook, Sunday, September 21st with planned festivities.
- Somerset County Business Partnership hosted a forum with Assemblyman Chivakula, Chairman of the Assembly of Telecommunications and Utility Committee where he spoke on energy issues within the state including resiliency planning and private monies to promote alternative energies concepts.
- He announced beginning 5:30 pm prior to the next Council session there will be a Meet the Mayor's Forum held.

Mayor's Report

Township Administrator Naples had nothing new to report.

Public Comment

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

Alan Campbell, Hopewell

“Road Collision Towing, LLC

- Opposes \$50 Admin fee
- Towers should not collect this fee - safety concerns
- Every bill need not be sent to the town as an audit - small business, family business
- 20 min respond time - fines
- Concern with jumping the rotation
- Unfair and exclusionary to only use wreckers with certain known equipment
- Town being involved in towing should not be allowed
- Rates are set by town and are to low

Mike Duplak, 582 Union Ave
Somerset Hills Towing

- Concerned with the Rotation Chart calling for services - Call Log Chart indicates favoritism
- Raised concern with rumors and verbal attacks from Police against his company
- Opposes \$50. Admin fee
- Technical problems throughout the ordinance

Steve O'Donnell, VP - Folkes Insurance Agency - 908-428-4285

- Insures over 100 tow companies in State of NJ
- Language involving Insurances seems vague
- Raised concerns with aggregate deductible language not included in the ordinance
- Separate claim language will void aggregate for every car damaged
- Miscellaneous Coverage - vague
- Liabilities only refer to collision not comprehensive coverage
- Concerns with passing of personal information (identity theft) between police and wreckers and wreckers and public (record on how this information is safeguarded)
- Offers to speak with township insurance representative to cover more specific details

John Gaz, 125 Foothill Road (Industrial: JTS Reality Property)

Dave's Heavy Towing, Hillsborough

Concerned with Insurance coverage - seems vague

- Concerned with 20 min response time - 5 min grace period without penalty
- Is Township going into towing business? If not clarify the language included in ordinance
- Rates are sub-par / needs rate escalator 2-3% each year
- \$50 Admin fee should not be collected and passed back
- Moved 100,00 cars last year , had no audit, opposes submission of burdensome bookkeeping
- Submitted application in April to qualify for the tow list has not heard back as approved

Mark Sowden, Pearl Street

Rescue Wrecker's

- Concerned with being penalized on 20 min arrival
- Page 10 Letter H (BRAKE) spelling error
- Recovery - Light Duty, page 22 (lower section) medium and heavy duty breakdown per hour per truck should also include Light (if it required more than one wrecker for the recovery, occurrences are rare but can happen)

- Light and medium duty storage is not correct. (ie: storage rate for bus compared to car takes up far more space in lot). Values may be the same but size of vehicle takes up volume of space on lot)
- Page 23 Labor per man \$95 per hour
- Page 24 #2 Light and medium (same individuals) only \$50 per hour per man
- \$50 Admin fee - should be excluded
- Concerned with Insurance coverage being at 5 mil will be costly (Raritan 4 mil but most are far less)

Felix Chitarelli - Value Towing

- 24 years on Bwt List
- Appreciates efforts
- Concerned with fuel and expenses
- Requests rates are fair to keep profitable

Rich Fent - Rich's Off Road Towing, Manville

- Concerned with Audit Tow Bills, burden on bookkeeping
- Instead of re-vamping - consider amendments moving forward
- Is Bridgewater doing their own towing selectively

Mike Bessapariou - Somerset Hills Towing, LLC

- Does not support ordinance as written
- Offer round table discussion to work together
- \$50 Admin Fee - if remains should be on the invoice - should be printable or defined
- Concerned with 20 min arrival - penalties
- Towers should be qualified in advance
- Concerned township will opt to tow with their own employees and are not be tasked with the same qualifiers.

Bill Savo will present a revised ordinance to reintroduce addressing the following changes :

- 20 Minute arrival - clarify weather conditions, traffic congestion, - phased timing
- \$50 Administration fee, either take out completely or identify what the cost is for.
- Jaime Rick review Insurance coverage's
- Hopewell Ordinance - rate escalators
- Submission of bills -what information needs to be included on each submission (ie, Co. name, driver's name of wrecker, name of vehicle owner, date, time, vehicle, location with crossroads, rate, mileage)

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

Public
Hearing &
Final Action
Ordinance

AMENDING CHAPTER 216 ENTITLED "WRECKERS," OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER, COUNTY OF SOMERSET, STATE OF NEW JERSEY SO AS TO 1) CLARIFY THE TERMS "EXTRAORDINARY TOWING SERVICE," "LIGHT-MEDIUM DUTY WRECKER," AND "HEAVY DUTY WRECKER" 2) SET FORTH THE MINIMUM STANDARDS APPLICABLE TO WRECKERS AND STORAGE FACILITIES, 3) REVISE THE APPLICABLE FEE SCHEDULE FOR TOWING, STORAGE AND RELATED SERVICES AND 4) FOR THE PURPOSE OF MAKING MISCELLANEOUS OTHER REFINEMENTS TO SAID ORDINANCE

The following were present to discuss the Ordinance:

- Police Chief Manuel Caravella
- Lieutenant Timothy Hoey
- Sergeant Paul Payne
- Officer Jason Dauton
- John Glass, President of Garden State Towing Association

Council considered the questions and concerns of the towers and discussed with the Police Department. There was consensus that Township Attorney Savo would incorporate the comments in the Ordinance.

Council was in consensus to table this matter and re-introduce it at the next Council meeting.

On motion of Councilwoman Rose, seconded by Councilman Kurdyla, the foregoing Ordinance was tabled and scheduled for re-introduction at the next Council meeting. The vote was as follows:

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

ORDINANCE OF THE BRIDGEWATER TOWNSHIP COUNCIL AUTHORIZING THE EXECUTION OF AN AGREEMENT PROVIDING FOR THE TOWNSHIP TO ACQUIRE LAND, IN THE FUTURE, IDENTIFIED AS LOT 2, IN BLOCK 165, KNOWN AS 360 MILLTOWN ROAD FOR THE PURCHASE PRICE OF \$1,500,000.00 TO BE PAID FROM THE PROCEEDS OF A BOND ORDINANCE TO BE ADOPTED

On motion of Councilman Kurdyla, seconded by Councilman Norgalis, 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

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 6th of October 2014, at 7:30 p.m. prevailing time on said day and time and at Bridgewater Township Municipal Court Chambers - 100 Commons Way 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.

THE ORDINANCE WAS INTRODUCED.

A copy of resolution #14-09-15-238 is appended to the official minutes.

Resolutions

AUTHORIZING PRELIMINARY EXPENSES IN ORDER TO ALLOW TIME TO CONDUCT NJ TRANSIT STUDY REGARDING FEASIBILITY OF THE BLOCK 165 LOT 2 FOR THE TRAIN STATION IN BRIDGEWATER TOWNSHIP AND AUTHORIZING A PAYMENT NOT TO EXCEED \$20,000.00

On motion of Councilman Kurdyla, seconded by Councilwoman Rose, the following resolution was proposed. 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 #14-09-15-239 is appended to the official minutes

PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2014 BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) - SAFE &

SECURE \$5000.00

On motion of Councilman Kurdyla, seconded by Councilman Pedroso, the following resolution was proposed. The vote was as follows:

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution #14-09-15-240 is appended to the official minutes

PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2014 BUDGET PURSUANT TO N.J.S.A. 40A:4-87(CHAPTER 159, P.L. 1948) - 2014 CDBG (COMMUNITY DEVELOPMENT BLOCK GRANT) \$41,918.00

On motion of Councilman Kurdyla, seconded by Councilwoman Rose, the following resolution was proposed. 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 #14-09-15-241 is appended to the official minutes

PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2014 BUDGET PURSUANT TO N.J.S.A. 40A:4-87(CHAPTER 159, P.L. 1948) - SAFE & SECURE \$60,000.00

It was confirmed that this will not constitute the hire of a new police officer.

On motion of Councilman Kurdyla, seconded by Councilwoman Rose, the following resolution was proposed. 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 #14-09-15-242 is appended to the official minutes

AWARD OF CONTRACT TO REIVAX CONTRACTING CORP. FOR GARRETSON ROAD IMPROVEMENT PROJECT, SECTION IV (COUNTRY CLUB ROAD TO HILL LANE), IN THE SUM OF \$180,049.00

On motion of Councilman Kurdyla, seconded by Councilwoman Rose, the following resolution was proposed. 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 #14-09-15-243 is appended to the official minutes

AWARD OF CONTRACT TO REIVAX CONTRACTING CORP. FOR QUARRY LANE ROAD IMPROVEMENT PROJECT (450 FT SOUTH OF WASHINGTON VALLEY ROAD TO BARTLE LANE), IN THE SUM OF \$295,063.87

On motion of Councilman Kurdyla, seconded by Councilwoman Rose, the following resolution was proposed. 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 #14-09-15-244 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 Councilwoman Rose, seconded by Councilman Norgalis, Council

convened in closed session at 9:35 p.m.

A copy of resolution #14-09-15-245 is appended to the official minutes.

On the motion of Councilwoman Rose, seconded by Councilman Norgalis, the meeting reconvened to open session at approximately 9:30 p.m.

On the motion of Councilwoman Rose, seconded by Councilman Pedroso, the meeting adjourned at approximately 9:30 p.m.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Matthew C. Moench
Council President