

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
NOVEMBER 6, 2014 COUNCIL CHAMBERS

The Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, convened in a regular session on Thursday, November 6, 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
Alex Fischer, Esq for Township Attorney
Natasha Turchan, 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 Norgalis reported the following:

- Attended the Somerset County Breast Cancer Awareness meeting on the steps of the old court house in Somerville. The guest speaker was Oncologist Kathleen Toomey from the Steeplechase Cancer Center.
- Attended a Little League Baseball game played at the Trenton Thunder Stadium. Only fifty parents and grandparents in a 4000 seat stadium. They had good seats and no parking problems.
- Assisted the Visiting Nurses Association of Somerset Hills in prepping for their annual fundraiser. He owes this organization a large debt of gratitude for their hospice care for his late wife.
- Attended the VNA dinner and recognition event.

- Took a fire truck to Van Holten School and talked to every class as part of October Fire Safety events.
- Attended the Far Hills Races as a guest of the Robert Wood Johnson Somerset Hospital Foundation. Met Hospital President & CEO Dr. Stephen K. Jones who is very upbeat about the hospital merger.
- Attended the Bridgewater Township health Fair held at our senior center.
- Attended a neighborhood block party where he responded to numerous resident questions and concerns. Number one issue was road conditions and current road construction.
- Attended the Bridgewater Halloween Party and, along with Councilwoman Rose and Councilman Pedroso, gave out a barrel of candy.
- Attended the Somerset County Partnership Fifth Friday Friars meeting where the guest speaker was Michael McDonough, newly appointed President of RVCC. He has accepted their invitation to take part in a forum to plan for the future direction of the college.
- Attended a pre-school breakfast meeting at Van Holten School which was sponsored by the Bridgewater Raritan Education Association.
- Attended a breakfast meeting at the Somerset County Votec and met Superintendent Chrys Harttraft.

Councilman Pedroso reported as follows:

- Attended the Van Holten Monster Mash
- Attended the Town hall Halloween festivities
- Hosted, along with Chair person Stephanie Moench of the Creative Arts Committee, an event “Talent in the Town” on 10/21/2014 in the Municipal Building. The turnout was very good; paintings from that event are still being exhibited on the first floor of the municipal building.

Councilman Kurdyla reported he will be attending the Veterans Day Ceremony at the Martinsville Park with the Martinsville VFW Group at 11am. He urged all to attend.

Councilwoman Christine Henderson Rose reported the following:

- She too will be attending the Veterans Day Ceremony at the Martinsville Park
- Provided an updated on the Lane Browkaw House noting they soon hope to hire an architect to do a historical structures report
- She has been spending a lot of time with the animal shelter’s board and is looking to host an open public meeting to discuss questions/concerns about the animal shelter. They anticipate having a report concerning the shelter from Jersey Professional Management early December.

Council President Moench reported the following:

- Attended the Town hall Halloween event
- Attended his first animal shelter meeting at the library
- Attended the Fifth Friday Friars lunch
- Attended the 15th annual legal reform conference of the United States Chamber of Commerce
- Attended a dinner for Center for great expectations which offers various resources for expectant mothers
- Attended the smart future growth conference at the AT&T center in Bedminster hosted by the Somerset County Business Partnership
- Advised of an invitation concerning sanofi good neighbor dinner
- Advised Valiant Pharmaceutical has a ribbon cutting ceremony next week
- Advised of the Chair of Honor Event at Town Hall

Mayor's Report

Township Administrator Naples thanked all that worked behind the scenes to make the Halloween Event successful. He acknowledged the recreation, police and the public works departments which worked together to assure a smooth event.

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 7:40 p.m.

A copy of resolution #14-11-06-265 is appended to the official minutes.

On the motion of Councilman Norgalis, seconded by Councilman Pedroso, the meeting reconvened to open session at approximately 8:05 p.m.

Public Comment

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

Georgia Madak, 540 Garretson Road was present. She stated she has researched shared animal service agreements throughout New Jersey and nationwide. She especially looked at the New Jersey State League of Municipalities and the New Jersey Shared Services Guide and advised no other town allocates three votes to

one person except Bridgewater. She requested that Council appoint three (3) people to represent Bridgewater on the animal shelter management committee which she noted will eradicate the undemocratic burden that one individual now holds on the committee.

Nick DiMarcello 242 Jackson Street and Mr. Israel, 250 Jackson Street were present. They live across the street from Arbor Glen. The employees of that business park their cars on their street instead of the business' parking lot. These employees speed, trash the area and smoke. It was offered that Administration and Police will review the situation to assess what recourse to take.

Ed Dorsey of Hillsborough Township was present on account of his AP Government and Politics class. This class has a civic duty component that mandates that he has a general knowledge of his Township and those around him. One of the requirements is attendance of 4-hrs of Township meetings, thus the reason for his audience.

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

Resolutions

AUTHORIZING THE SETTLEMENT OF A DISPUTE BETWEEN THE TOWNSHIP OF BRIDGEWATER, PATOCK CONSTRUCTION CO., USA ARCHITECTS, PLANNERS & INTERIOR DESIGNERS, P.A., AND M/E ENGINEERING, P.C. REGARDING THE CONSTRUCTION OF THE BRIDGEWATER TOWNSHIP MUNICIPAL COMPLEX

Township Administrator Naples advised this resolution will settle all outstanding disputes between all parties at a minimal cost.

On motion of Councilwoman Rose, seconded by Councilman Norgalis, the foregoing 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 #14-11-06-266 is appended to the official minutes

AUTHORIZATION TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWNSHIP OF BRIDGEWATER AND BRIDGEWATER TOWNSHIP P.B.A. LOCAL NO. 174

On motion of Councilman Norgalis, seconded by Councilman Kurdyla, the foregoing 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 #14-11-06-267 is appended to the official minutes

AUTHORIZING AN AWARD OF CONTRACT TO ENERGY SOLVE FOR EXTRAORDINARY UNSPECIFIABLE SERVICES AS A REGISTERED ENERGY AGENT / CONSULTANT (PURSUANT TO N.J.A.C. 14:4-5.8 & 5.11 OF THE REGULATIONS PROMULGATED BY THE NEW JERSEY BOARD OF PUBLIC UTILITIES) WITH REGARD TO AN ELECTRIC AND GAS ENERGY AGGREGATION PROGRAM FOR TOWNSHIP OWNED FACILITIES

Township Administrator Naples advised this is for Township owned facilities. This resolution will allow for the bulk purchase of electricity and gas to lower energy bills. We have previously considered the implementation of a standalone aggregation program and approved same in the past.

On motion of Councilwoman Rose, seconded by Councilman Kurdyla, the foregoing 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 #14-11-06-268 is appended to the official minutes

CANCELLATION OF CAPITAL BOND ORDINANCES IN THE TOTAL AMOUNT OF \$573,876.58

Township Administrator Naples advised this resolution will formally cancel all unexpended balances and return same to the Capital Improvement Fund or Surplus for use in the upcoming year.

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	Aye
Councilwoman Rose	Aye
Council President Moench	Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution #14-11-06-269 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 NJDOT HIGHWAY SAFETY GRANT-\$167,842.59

Township Administrator Naples advised this grant, intended to promote public safety is distributed to municipalities responsible for law enforcement within the safe corridors, which is Route 22 in our case.

On motion of Councilwoman Rose, seconded by Councilman Norgalis, the foregoing 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 #14-11-06-270 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 RECYCLING TONNAGE GRANT-\$98,304.11

Township Administrator Naples advised this grant amount is the largest in Somerset County as we continue to lead in the area of recycling.

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

Councilman Kurdyla	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Aye
Councilwoman Rose	Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution #14-11-06-271 is appended to the official minutes

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

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

The following were present and spoke in opposition to the wrecker's ordinance.

Mike Duplak - Somerset Hills Towing

Mike Bessaparious - Somerset Hills Towing, LLC

Mark Sowden - Rescue Wreckers

They discussed various reasons of why they were not in support including:

- Interpretation of the Ordinance
- Opposed to \$50 Admin fee which may/may not pose a taxation issue
- The Ordinance is a burden to the towers
- Contains various violations of New Jersey Statutes

They also noted the Street lights on Commons Way and Route 22 and Chimney Rock Road and Route 28 are out.

On motion of Councilwoman Rose seconded by Councilman Kurdyla, the public hearing portion of this meeting was closed.

As far as the taxation obligation issue, Township Administrator Naples advised he would have Natasha Turchan, Director of Finance look into it.

Councilman Moench offered he would not be supporting this Ordinance as he has concerns including the \$50.00 admin fee.

Councilwoman Rose asked that administration provide quarterly reports on how the ordinance is doing.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution #14-11-06-272 is appended to the official minutes

**Introduction
of New
Ordinances**

AN ORDINANCE OF THE TOWNSHIP OF BRIDGEWATER AMENDING CHAPTER 4 (ADMINISTRATIVE ORGANIZATION), ARTICLE XIV (DEPARTMENT OF POLICE), SECTION 4 - 83 (PROMOTIONS), SUBSECTIONS B (PROMOTION TO SERGEANT), C (PROMOTION TO LIEUTENANT), D (PROMOTION TO CAPTAIN) AND E (MISCELLANEOUS) OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER SO AS TO FURTHER CLARIFY, REFINE AND AMEND THE PROCESS FOR PROMOTING POLICE OFFICERS

Township Administrator Naples and Police Chief Caravella advised the Chief is recommending a few changes that will further clarify, refine and amend the process for promoting police officers. Following a lengthy discussion on various items of the proposed Ordinance, it was Council’s consensus to introduce the Ordinance subject to the amendments discussed.

On motion of Councilwoman Rose, seconded by Councilman Norgalis, the foregoing Ordinance was proposed for introduction as amended. 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 1st day of December 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 #14-11-06-273 is appended to the official minutes.

Resolutions

AUTHORIZING AN INCREASE IN THE AMOUNT OF \$15,000.00 TO THE CONTRACT APPOINTING ERIC M. BERNSTEIN & ASSOCIATES AS TOWNSHIP LABOR ATTORNEY AND AWARDING OF PROFESSIONAL SERVICE CONTRACT IN AN AMOUNT NOT TO EXCEED \$75,000.00 FOR A TOTAL FINAL ANNUAL CONTRACT AMOUNT NOT TO EXCEED \$90,000.00

On motion of Councilwoman Rose, seconded by Councilman Norgalis, the foregoing 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 #14-11-06-274 is appended to the official minutes

RESOLUTION AUTHORIZING PARTICIPATION IN THE 2014 REGIONAL CENTER PARTNERSHIP CHALLENGE GRANT PROGRAM IN THE AMOUNT OF \$15,000

On motion of Councilwoman Rose, seconded by Councilman Norgalis, the foregoing 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 #14-11-06-275 is appended to the official minutes

**Introduction
of New
Ordinances**

SIGHT EASEMENT, 30 FEET IN WIDTH, 100 FEET IN LENGTH AND TRIANGULAR IN SHAPE LOCATED ON BLOCK 188.01, LOT 7 (formerly Block 2408.13 Lot 7), LOCATED AT 35 MURPHY DRIVE IN THE TOWNSHIP OF BRIDGEWATER, SOMERSET COUNTY, NEW JERSEY AND SET FORTH ON A FILED MAP ENTITLED

“FINAL MAP, VISTANA WOODS, TOWNSHIP OF BRIDGEWATER, SOMERSET COUNTY, NEW JERSEY, LOT 22 BLOCK 2408, TAX MAP 34”AS PREPARED BY STEPHEN M. FISK, P.L.S. #23919 DATED OCTOBER 6, 1997, AND FILED WITH SOMERSET COUNTY AS MAP # 3305 ON NOVEMBER 26, 1997;

Township Engineer Bogart discussed the request for vacation of sight easement as referenced above.

On motion of Councilwoman Rose, 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 1st day of December 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 **#14-11-06-276** 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 9:15 p.m.

A copy of resolution #14-11-06-277 is appended to the official minutes.

On the motion of Councilwoman Rose, seconded by Councilman Norgalis, the meeting reconvened to open session at approximately 10:00 p.m.

On the motion of Councilwoman Rose, seconded by Councilman Norgalis, the meeting adjourned at approximately 10:00 p.m.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Matthew C. Moench
Council President