

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
MARCH 12, 2015 COUNCIL CHAMBERS

The Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, convened in a work session on Thursday, March 12, 2015 at 7:30 p.m. in Council Chambers in the Municipal Complex, Bridgewater, New Jersey 08807.

Council President Norgalis 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, 2015 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
Matthew C. Moench
Filipe Pedroso
Christine Henderson Rose
Council President Norgalis

Also Present: James T. Naples, Township Administrator
William Savo, Township Attorney
Grace Karanja, Deputy Township Clerk

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

Minutes for Approval

On motion of Councilwoman Rose, seconded by Councilman Pedroso, the following minutes were moved for approval and passed unanimously. Councilman Moench abstained:

Regular Session - March 2, 2015
Regular Session - February 19, 2015
Closed Session - February 19, 2015

Council Reports

Councilman Pedroso had nothing new to report

Councilman Kurdyla reported he continues to have meetings with the committee for the planning board in connection with the Sanofi Center of Excellence

Councilwoman Rose reported the animal shelter and historic committee continues to make progress.

Councilman Norgalis reported as follows:

- Attended the Ribbon Cutting at the Raymour and Flanagan meeting on Route 202 near HomeDepot. Great to see the former HomeDepot Expo building is back in use.
- Vacationed in South Carolina for a week where the weather, although not down to zero, was dismal all week.
- Attended the St Baldrick's head shaving in support of kid's cancer research. The event was held at Eisenhower School and one of the shavers' was Eisenhower Principal George Rauh. Principal Rauh is well respected and a truly great supporter of the event which raised over \$100,000.
- The Somerset County Master Gardeners Organization is looking for a plot for a community garden. The County has offered space at North Branch Park.
- While he was unable to attend the police promotion ceremony on Feb. 25th he offered his personal congratulations to newly promoted Lieutenants Maxwell and Payne and to Sergeants Stasiulaitis, Tennant and Mele.
- Earlier this week the NJ Supreme Court issued a ruling that "COAH is no longer functioning in its prescribed role and returned control of affordable housing compliance to the courts". We will be hearing a lot more about COAH in the coming weeks.
- Our town, like every other one in the County, continues to struggle with pothole remediation. He urged residents to report them but to be patient as they can't be fixed overnight.
- Officer Gary Howarth has copied all employees on the Conscientious Employee Protection Act (CEPA) notice. This is also known in the press as the Whistleblower Act

Things to Come:

- He will be attending the Somerset County meeting on understanding the laws related to "Right to Farm".
- On Mar 25 he will attend a County program on mold remediation.

- Bridgewater Baseball will hold its opening ceremony on Saturday April 11th

Mayor's Report

Township Administrator Naples reported we are making progress on filling potholes as priority roads have been identified. He urged residents to be patient and report potholes.

DISCUSSION

K-HOVNANIAN

Thomas F. Carroll, III, Esq. of Hill Wallack, LLP was present for this presentation. He noted he represents K Hovnanian at Bridgewater I, LLC. Also present were Art Bernard, PP, Stephen Dahl, Esq. and William Salmon, PE. They presented their proposal as follows:

The subject property is formerly known as Block 477 Lots 45 and 46. It is 14.9 acres in size and has frontage on the southbound lane of Route 202/206 just west of Foothill Road. The request is to rezone the area in order to allow for the construction of 160 stacked townhomes in 19 buildings. They explained the site is an excellent location for multifamily housing, has access to public water and sewer, can be developed in a manner that is consistent with the requirements of state agencies, has access to appropriate streets and is compatible with surrounding land uses.

The townhomes will comprise of two and three-bedroom homes, each with a garage and square feet ranging from 2,200 to 2,500. All homes will be for sale with prices ranging from \$350,000 to 400,000. In addition, the proposal will allow Bridgewater to comply with its affordable housing obligation.

After discussion, Council advised they will soon provide feedback about the request for rezoning.

**REDEVELOPMENT PLAN
VACATING RADEL AVE**

Township Planner Scarlett Doyle was present for the presentation. She summarized the proposal as follows:

The property in question consists of the Eden Woods/Weyerhauser tract and a portion of the former sanofi-aventis R&D site, for which a Redevelopment Plan is currently being prepared. The 18.48 acre site is located in the Finderne section of the township and currently contains an industrial building, which was used for warehousing, and also contains an office building which has not been occupied for several years. The property is flanked on both sides by two different

residential neighborhoods. There is a single family neighborhood to the east and north in the R-10 zone and a multiple family neighborhood to the west in the R-40 MDU-1 zone. The property lies with the SC-R zone (Senior Citizen Residential) which permits senior citizen housing development at a density of 13 dwelling units per acre.

The Township Council designated the area as a redevelopment area and instructed the Planning Board to prepare a Redevelopment Plan. On December 2, 2014, the Planning Board held public hearing and adopted the Redevelopment Plan and forwarded the plan to the Township Council.

The basic elements of the redevelopment plan are:

- Unlike other applications, site construction in a redevelopment area must conform to the Redevelopment Plan. If there is to be a deviation from the Redevelopment Plan, the applicant must seek a plan amendment from the Township Council.
- There is a maximum of 220 dwelling units.
- All units are to be rental units.
- The set-aside for affordable housing is 15%. The set-aside will produce 33 affordable dwelling units.
- At least 50% of the dwellings will have garages.
- At least 50% of the façade of the buildings (excluding garages) is required to be stone or brick.
- The market units will have at least one bedroom but no more than two-bedrooms per unit and the affordable housing units which will have one, two, and three bedrooms based on a COAH formula.
- There is to be a boulevard entrance from East Main Street (a Somerset County road) into the neighborhood. There are two access points onto Radel Avenue. One is at Ramsey Street and the other is near Field Street.
- There is to be a clubhouse and swimming pool.
- The area to the east of the site is to be in the park-like setting as shown on the Redevelopment Plan, but the use of this (e.g. public or community use only) was discussed as a matter to be dealt with at the time of the site plan review.

Township Planner Doyle also summarized the need to vacate Radel Avenue.

It was agreed that these matters will be placed on an upcoming Council agenda for Council action.

**Public
Comment**

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

No one wished to be heard.

On motion of Councilwoman Rose, seconded by Councilman Pedroso, the public comment portion was closed.

**Public
Hearing &
Final Action
Ordinances**

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR THE 2015 CALENDAR YEAR (N.J.S.A. 40A: 4-45.14)

Township Administrator Naples offered that the Municipal Budget is presented with a zero tax increase. He stressed that this is not an expenditure but rather an Ordinance that allows us to exceed the cap in the event that it is necessary. This ordinance is consistent with similar ones over the years.

AN ORDINANCE AMENDING SECTION 206-29 ENTITLED "SCHEDULE I: NO PARKING" OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER SO AS TO PROHIBIT PARKING ALONG CERTAIN PORTIONS OF JACKSON STREET EXCEPT BY PERMIT

This Ordinance will allow for "No Parking" signs to be installed on portions of Jackson Street per the request of residents residing on the lower end of Jackson Street who appeared before Council with a concern that the Arbor Glen employees park on their street, and have become an irritant due to smoking, noise and littering.

Resolutions

AUTHORIZING BUDGET TRANSFERS FOR APPROPRIATION RESERVE IN THE AMOUNT OF \$4,000.00

Township Administrator Naples advised this will allow administration to move funds within the budget from where we have savings to where there is a deficit.

AWARD OF AN EMERGENCY PURCHASE TO RJS ASSOCIATES LANDSCAPING, INC., OF BRIDGEWATER NEW JERSEY FOR SNOW REMOVAL SERVICES

Township Administrator Naples explained the harsh weather of 2014-2015 brought an unusual number of snow storms causing us to have an immediate need to increase RJS Associates, our snow removal contractor purchase order without public advertising.

2015 SOMERSET COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

This agreement will allow Bridgewater to participate in the 2014 Somerset County Community Development Block Grant (CDBG) program along with some of Bridgewater's nonprofit organizations. The County requires that the governing body acknowledge they are aware an application has been made by Bridgewater to this program.

AUTHORIZING AN AGREEMENT BETWEEN THE TOWNSHIP OF BRIDGEWATER AND THE BRIDGEWATER-RARITAN BOARD OF EDUCATION FOR 2014-2015 HAZARDOUS BUSING IN THE AMOUNT OF \$242,699

Township Administrator Naples stated this is another agreement, as has been done in previous years for hazardous busing. Busing is provided in lieu of sidewalks and crossing guards in the Township.

**Closed
Session**

BE IT RESOLVED, by the Bridgewater Township Council that this body will now hold a closed meeting to discuss Open Space, Contract Negotiations, Pending 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 Pedroso, Council convened in closed session at 8:40 p.m.

A copy of resolution #15-03-12-070 is appended to the official minutes.

On the motion of Councilwoman Rose, seconded by Councilman Kurdyla, the meeting reconvened to open session at approximately 9:10 p.m.

On the motion of Councilwoman Rose, seconded by Councilman Kurdyla, the meeting adjourned at approximately 9:10 p.m.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Howard Norgalis
Council President