

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
JUNE 15, 2015 COUNCIL CHAMBERS

The Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, convened in a regular session on Monday, June 15, 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 (absent)
Filipe Pedroso
Christine Henderson Rose
Council President Norgalis

Also Present: James T. Naples, Township Administrator
 William B. Savo, Township Attorney
 Linda J. Doyle, Township Clerk

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

Minutes for Approval

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

May 14, 2015 - Agenda Session
May 18, June 4, 2015 - Regular Session

Council Reports

Councilwoman Rose:

- Attended the Flag Day Ceremony.

Councilman Kurdyla:

- Attended a meeting of the Center of Excellence. They agreed to prepare a presentation for Township Council in the very near future
- Raritan will be hosting a shred event from 9am to 1pm on 6/20/2015
- Bradley Gardens Little Loop Closing Day was scheduled for this past Saturday. Councilman Kurdyla was unable to attend as he was at

Watching for their Shred event.

Councilman Pedroso:

- Attended an event hosted by Pedro Soares de Oliveira, Portugal Council General who hosts a yearly event at which he invites Portuguese American Citizens who are active in government
- Attended the Van-Holten Art Show
- Also attended the Flag Day event
- He wished all Bridgewater students and parents a happy, healthy and safe summer vacation.

Council president Norgalis:

- Attended the Somerset County Priority investment readout in which multiple projects were discussed including our very own Chimney Rock improvement process
- Attended the Flag Day celebration

Future Activities:

- This week, the Bridgewater Police Department is celebrating its 50th anniversary
- Next week, the Centerbridge senior center is celebrating a picnic

Mayor's Report

Township Administrator Naples had nothing new to report

Public Comment

On motion of Councilman Pedroso, seconded by Councilwoman Rose, 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.

Boy Scout Isaac Erwin of Troupe 46 was present for his citizenship and community merit badge. Councilwoman Rose stated his brother Bob Erwin will be working on the Scout project at the Cemetery on Spring Run.

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

Public
Hearing &
Final Action
Ordinances

AN ORDINANCE OF THE TOWNSHIP OF BRIDGEWATER ADOPTING A "REDEVELOPMENT PLAN" FOR AN AREA IN NEED OF REDEVELOPMENT, CONSISTING OF LOTS 3.01, 13.01 AND 14 IN BLOCK 329 KNOWN AS THE FORMER WEYERHAUSER PROPERTY, IN ACCORDANCE WITH N.J.S.A. 40A:12A-7 AND AMENDING AND SUPPLEMENTING CHAPTER 126 (LAND USE) OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER, WITH SPECIFIC REFERENCES TO EXISTING SECTION 126-309.3 (SC-R SENIOR CITIZEN RESIDENTIAL ZONE), EXISTING SECTION 126-325 (SCHEDULE OF AREA, YARD AND BUILDING REQUIREMENTS), EXISTING SECTION 126-302 (ZONING MAP), EXISTING SECTION 126-301 (Zoning Districts) of ARTICLE XLI (Establishment of Zones) AND TO A NEW SECTION 126-309.3 ENTITLED R- RMDU-13 MULTIFAMILY RESIDENTIAL REDEVELOPMENT ZONE GOVERNING THE DEVELOPMENT OF A BRIDGEWATER REDEVELOPMENT PLAN

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

John Kulak, 13 Remsey Street was present. He spoke in opposition to the redevelopment citing traffic safety concerns, issues with increased traffic and the financial impact to residents due to overcrowding of the school system. He added the owner of the property continues to violate the Ordinances and spirit of the law in terms of maintaining a safe property.

Yvonne Cronin, 21 Field Street was present. She spoke in opposition to the redevelopment plan noting concerns with traffic and overcrowding of the school system which translates to increase in taxes. She questioned whether a petition signed by surrounding home owners would help in voting against this Ordinance as she felt resident concerns were not being taken into account. Ms. Cronin was advised she was at liberty to pursue that option but was assured resident complaints were being taken seriously.

Charles Isley, 704 Kline Place was present. He stated there is a potential for a "Wawa" to be built in the area and felt that together with this development will have a drastic impact on traffic.

Joe Kordzikowski, 27 Field Street was present. He expressed opposition to the redevelopment plan noting traffic concerns. He stated this will diminish the quality of life for Bridgewater residents.

Samantha Alley, 29 Manville Blvd was present. She expressed great disappointment as she felt the Finderne people and neighborhood are not being heard.

Valerie Kowal, 89 Pearl Street was present. She expressed concerns with safety, overcrowding of the school system, possible increase in taxes and traffic. She stated storage units, day care centers and/or 9-5 businesses would be better suited for this location.

Chris Maraconda, 19 Ramsey Street was present. She is a 20-year Bridgewater resident who is saddened and disappointed as she felt their voices are not being heard. She stated the landlord should be penalized for allowing this property to deteriorate as it has.

George Miller, 18 Ramsey Street was present. He spoke in opposition to the redevelopment plan noting if approved, it will devalue the area, not only monetarily but at a quality of life level as well. He added our roads are not able to handle the increase in traffic.

Nora Risti, Kline Place was present. She spoke in opposition citing traffic and safety concerns.

Bob Anderson, Kline Place was present. He spoke in opposition citing traffic concerns and safety concerns.

Francis Linnus, Esq. was present to represent Eden Wood Realty in connection with this Ordinance. He stated this property has a long history and provided the background beginning 2013 to the present.

With regard to the fiscal impact on the school system, Attorney Linnus stated the property is already zoned residential at a very high density. A fiscal impact analysis concludes that the impact is positive, both on the township and public school district. He added this project, if approved may be eligible for a pilot program.

With regard to traffic, preliminary traffic studies were conducted and conclude there will not be a severe deterioration at the level of traffic. The redeveloper is aware the Township wants and insists upon a traffic signal being placed on Main Street and is committed to working with the County as they have jurisdiction whether a traffic signal at this location is warranted. He added at this point, the experts believe a traffic signal is not necessary.

Attorney Linnus commended Township Planner Doyle in putting together, with others, a redevelopment plan that caters to upholding the quality of life for Bridgewater residents.

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

Councilwoman Rose was clear the traffic light was a necessity and would determine how she voted. Township Attorney Savo stated this Ordinance is contingent upon the redeveloper obtaining the approvals to install that light. In the event the County denies the application, Eden Woods must return to the governing body before they can proceed. He added the governing body has another safeguard; Being this is a redevelopment, a developer's agreement is required which means the governing body and the redeveloper will have negotiations as to what should be in the developer's agreement including traffic lights, sidewalk and other improvements the governing body believes would improve the neighborhood.

Councilman Kurdyla stated the concern we all share is traffic and safety of children. For this reason, the traffic light in his opinion is non-negotiable; it must be installed.

Councilman Pedroso clarified that the property is currently zoned for age restricted housing. He expressed concerns with density.

Council President Norgalis addressed public concerns stating Council cannot act based on the emotions of residents as most often, residents are opposed to development in the vicinity of their homes. With regard to senior housing, there is no demand for it so no builder will agree to build age restricted housing on this property. Concerning school children, Council cannot make a decision simply on the fact that we will have more children in the schools and therefore school taxes will go up. What Council has done is to try and limit the number of bedrooms for market rate units while complying with COAH regulations. He agreed that a traffic signal is necessary and we will work to persuade the County to approve same.

Council President Norgalis added he will be supporting this Ordinance because although there are deficiencies, from a practical standpoint, there is a need to get rid of the existing dilapidated building.

Councilman Kurdyla stated while he has concerns with the redevelopment plan, he must apply the law and not vote based on emotions as he represents all of Bridgewater. He maintained a traffic light is an absolute necessity.

Councilwoman Rose stated she will support the Ordinance but was clear that a traffic light was non-negotiable.

Councilman Pedroso agreed this site is in need of redevelopment but did not feel townhouses are the ideal project for it. He discussed the issue of COAH and offered he did not have enough information to approve this project without knowing where Bridgewater is in terms of fulfilling its COAH obligations.

Councilman Pedroso moved to table this Ordinance. There was no second. The motion FAILED.

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

| | |
|----------------------------|---------|
| Councilman Kurdyla | Aye |
| Councilman Moench | Absent |
| Councilman Pedroso | Abstain |
| Councilwoman Rose | Aye |
| Council President Norgalis | Aye |

THE ORDINANCE WAS ADOPTED.

A copy of resolution #15-06-15-173 is appended to the official minutes

Resolutions

AUTHORIZING AN AWARD OF CONTRACT TO TD BANK TO PROCESS CREDIT CARD PAYMENTS TO TOWNSHIP RESIDENTS FOR THE PAYMENT OF TOWNSHIP TAXES AND SEWER FEES THROUGH THE USE OF INTERNET CREDIT CARD PAYMENTS

Township administrator Naples stated we are switching providers for credit card payments with the same terms as before.

On motion of Councilwoman Rose, seconded by Councilman Kurdyla, the following resolutions were proposed. The vote was as follows:

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-06-15-174 is appended to the official minutes

PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2015 BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) ALCOHOL EDUCATION REHABILITATION AND ENFORCEMENT FUND-\$3,064.52

Council President Norgalis stated these monies can only be used to administer court procedures and is based on the fact that in 2014, the Bridgewater Township Police Department had filings for 158-DWI (Driving while intoxicated) events. That is 52% higher than the base year.

On motion of Councilwoman Rose, seconded by Councilman Kurdyla, the following resolutions were proposed. The vote was as follows:

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-06-15-175 is appended to the official minutes

RESOLUTION SUPPORTING PARTICIPATION IN THE SUSTAINABLE JERSEY MUNICIPAL CERTIFICATION PROGRAM

Township administrator Naples stated for the past 3-years, we have received a bronze certification for the sustainable Jersey program. This year we are aiming to achieve the Silver certification. This resolution is a requirement of the application.

On motion of Councilman Kurdyla, seconded by Councilwoman Rose, the following resolutions were proposed. The vote was as follows:

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-06-15-176 is appended to the official minutes

AWARD OF CONTRACT TO ASPHALT PAVING SYSTEMS, INC. FOR THE MAINTENANCE AND REPAIR WORK (CHIP SEAL AND MICROSURFACING) PROJECT IN THE SUM OF \$137,274.75

Council President Norgalis stated the specific streets that will be involved in this action include Jenna Drive, Hughes Road, Glen Eyre Drive, Shields Lane and Carthcart Place. Township administrator Naples added this is a very cost effective way to save roads that are still within their useful life and to extend

that life for an additional 10-years.

On motion of Councilman Kurdyla, seconded by Councilwoman Rose, the following resolutions were proposed. The vote was as follows:

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-06-15-177 is appended to the official minutes

AUTHORIZING CHANGE ORDER NO. 1 - FINAL CHANGE ORDER DECREASING THE PRICE FROM \$125,250.00 TO \$119,200.00, WHICH IS A DECREASE OF 4.83% OR (\$6,050.00) FROM THE ORIGINAL CONTRACT AMOUNT, AND FINAL PAYMENT TO JOHN GARCIA CONSTRUCTION CO., INC., AND AUTHORIZING ACCEPTANCE OF THE PROJECT AND RELEASE OF PERFORMANCE GUARANTEE AND ACCEPTANCE OF THE MAINTENANCE BOND FOR THE CUCKHOLDS BROOK DRAINAGE IMPROVEMENTS

Council President Norgalis stated Cuckholds Brook starts a little bit south of Route 22 by Adamsville Road. It goes under Finderne Ave, Route 28, East Main Street, under the railroad trestle and then down to Raritan.

On motion of Councilman Pedroso, seconded by Councilwoman Rose, the following resolutions were proposed. The vote was as follows:

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-06-15-178 is appended to the official minutes

AUTHORIZING CHANGE OF SCOPE TO THE PROFESSIONAL SERVICES CONTRACT INCREASING THE CONTRACT PRICE BY THE SUM OF \$3,600.00 FOR PREPARATION OF ADDITIONAL DRAINAGE DESIGN AND REVISIONS TO CONSTRUCTION PLANS AND SPECIFICATIONS FOR THE VAN HOLTEN ROAD IMPROVEMENT PROEJCT, PHASE II CONTRACT PRICE WITH CARROLL ENGINEERING FROM THE PRICE OF \$62,200.00 TO \$65,800.00

Township administrator Naples stated this just adds some slight additional drainage work on the down slope side of Van Holten.

On motion of Councilwoman Rose, seconded by Councilman Kurdyla, the following resolutions were proposed. The vote was as follows:

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-06-15-179 is appended to the official minutes

REQUEST FOR WAIVER OF FIRE PERMIT FEE IN THE AMOUNT OF \$331.00 AND AUTHORIZATION FOR FIREWORKS DISPLAY FOR THE SOMERSET COUNTY PARK COMMISSION, 355 MILLTOWN ROAD, BRIDGEWATER, NJ ON JULY 4, 2015

On motion of Councilwoman Rose, seconded by Councilman Kurdyla, the following resolutions were proposed. The vote was as follows:

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-06-15-180 is appended to the official minutes

REIMBURSEMENT OF FIRE PERMIT FEE FOR BOY SCOUTS OF AMERICA; EAGLE SCOUT COURT OF HONOR FOR MAX M. MICHELLER FLAG RETIREMENT CEREMONY AT THE HISTORIC MIDDLEBROOK ENCAMPMENT AT 1762 MIDDLEBROOK ROAD, BOUND BROOK, NJ

On motion of Councilwoman Rose, seconded by Councilman Kurdyla, the following resolutions were proposed. The vote was as follows:

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

**Closed
Session**

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-06-15-181 is appended to the official minutes

BE IT RESOLVED, by the Bridgewater Township Council that this body will now hold a closed meeting to discuss 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 9:05 p.m.

A copy of resolution #15-06-15-182 is appended to the official minutes.

On the motion of Councilwoman Rose, seconded by Councilman Pedroso, the meeting reconvened to open session at approximately 9:10 p.m. and adjourned immediately thereafter.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Howard Norgalis
Council President