

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
AUGUST 17, 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, August 17, 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 Moench, the following minutes were moved for approval and passed unanimously:
August 3, 2015 - Regular Session

Council Reports

Councilman Moench:

- He attended the 4H Fair 3-day event. Perfect weather, great turn-out, great fun
- He is scheduled to meet with the Green Knoll Grille along with Council President Norgalis to discuss what changes, if any, they are recommending for their liquor license.

Councilwoman Rose:

- She also attended the 4H Fair. Councilwoman Rose announced she will be retiring from her full-time job in August.

Councilman Kurdyla

- He just returned from vacation.

Council president Norgalis:

- Attended the 4H Fair
- He met with the Green Knoll Grille (GKG) attorney along with Councilman Moench and they are awaiting a response from the attorney on those restrictions the GKG would like reduced.
- Eden wood attorney continues to work with the County concerning the traffic light to be installed on Main Street.

Mayor's Report

Township Administrator Naples had nothing new to report.

Public Comment

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

No one wished to be heard.

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

Presentation

CONVENTION OF STATES PROJECT

Dr. Joseph Mele was present. He expressed he is very passionate about this project and introduced Barbara Brock, NJ State Director for the convention of States to provide the presentation and offer awareness on this project.

Ms. Brock discussed the following subjects:

WHAT IS A CONVENTION OF STATES?

A convention of states is a convention called by the state legislatures for the purpose of proposing amendments to the Constitution. They are given power to do this under Article V of the Constitution. It is not a constitutional convention. It cannot throw out the Constitution because its authority is derived from the Constitution.

WHY CALL FOR A CONVENTION OF STATES?

Washington, D.C., is broken. The federal government is spending this country into the ground, seizing power from the states and taking liberty from the people. It's time American citizens took a stand and made a legitimate effort to curb the power and jurisdiction of the federal government.

HOW DO THE STATE LEGISLATURES CALL A CONVENTION OF STATES?

Thirty-four state legislatures must pass a bill called an “application” calling for a convention of states. The applications must request a Convention of the States for the same subject matter. The applications are delivered to Congress.

WHAT IS THE CONVENTION OF STATES’ PLAN?

1. Call a convention for a particular subject rather than a particular amendment. Instead of calling a convention for a balanced budget amendment they want to call a convention for the following purpose:
Limiting the power and jurisdiction of the federal government.
2. They believe the grassroots is the key to calling a successful convention. They would like to build a political operation in a minimum of 40 states, getting 100 people to volunteer in at least 75% of the state legislative districts. Only through the support of the American people will this project have a chance to succeed.

Public
Hearing &
Final Action
Ordinances

AN ORDINANCE AMENDING CHAPTER 146 ENTITLED “BRUSH, WEEDS, AND DEBRIS” SECTION 146-1 ENTITLED “REMOVAL OR DESTRUCTION BY OWNER REQUIRED” OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER, COUNTY OF SOMERSET, STATE OF NEW JERSEY SO AS TO CLARIFY THE DEFINITION OF BLIGHT

Storm Sandy cause widespread damage to trees and vegetation. A property owner who had a difficult time getting his neighbor to clean up debris following the storm has sued the town citing we failed to enforce our Ordinances. This Ordinance amendment states it was never the intention of the governing body to have a blight condition determined after the result of a natural disaster or storm such as Sandy.

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

No one wished to be heard.

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

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

Councilman Kurdyla	Aye
Councilman Moench	Aye

Councilman Pedroso	Aye
Councilwoman Rose	Aye
Council President Norgalis	Aye

THE ORDINANCE WAS ADOPTED.

A copy of resolution #15-08-17-246 is appended to the official minutes

AN ORDINANCE OF THE TOWNSHIP OF BRIDGEWATER AMENDING SECTION 126-301 (ZONING DISTRICTS), SECTION 126-302 (ZONING MAP) CREATING A NEW SECTION 126-313.5 (C-7 NEW COMMERCIAL ENTERPRISE ZONE), AMENDING SECTION 126-325 (SCHEDULE OF AREA, YARD AND BUILDING REQUIREMENTS); AMENDING SECTION 126-332 (MINIMUM BUFFER/EASEMENT)

A number of lots are involved in the proposal to rezone from residential to commercial and all lot owners support the change.

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

No one wished to be heard.

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

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

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

THE ORDINANCE WAS ADOPTED.

A copy of resolution #15-08-03-247 is appended to the official minutes

AN ORDINANCE AMENDING CHAPTER 126 ENTITLED "LAND USE," SECTION 12 ENTITLED "ZONING," SUBSECTION 341.5 ENTITLED "WIRELESS COMMUNICATIONS FACILITIES", OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER, COUNTY OF SOMERSET, STATE OF NEW JERSEY SO AS TO EXEMPT MUNICIPAL LAND FROM THE REQUIREMENTS OF THE AFOREMENTIONED SECTION

We previously amended a zoning ordinance that will encourage cell tower operators to look at municipal land in an effort to keep cell towers out of residential areas. Part of the settlement in a current pending litigation requires us to amend our Ordinance so that there are no variance requirements for those cell tower operators who opt to build their towers on municipal land.

Councilman Pedroso stated he will not support this Ordinance. His stand is the cell tower height is excessive and sets a negative precedence.

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

No one wished to be heard.

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

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

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

THE ORDINANCE WAS ADOPTED.

A copy of resolution #15-08-03-248 is appended to the official minutes

Resolutions

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) 2015 YOUTH SERVICES COMMISSION-\$7,500.00

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-08-17-249 is appended to the official minutes

RESOLUTION AUTHORIZING THE EXECUTION OF A MAINTENANCE AND INDEMNIFICATION AGREEMENT BETWEEN REGIONAL CENTER PARTNERSHIP OF SOMERSET COUNTY, INC. AND TOWNSHIP OF BRIDGEWATER

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-08-17-250 is appended to the official minutes

AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS IN CONNECTION WITH THE SOMERSET COUNTY IMPROVEMENT AUTHORITY'S SOMERSET MUNICIPAL BANC PROGRAM FOR THE LEASE/PURCHASE OF POLICE VEHICLES

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-08-17-251 is appended to the official minutes

COUNCIL PRESIDENT NORGALIS READ THE FOLLOWING RESOLUTIONS BY TITLE AND CALLED FOR A CONSENT VOTE.

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

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

AWARD OF CONTRACT TO TOMCO CONSTRUCTION, INC. FOR TRIBUTARY TO PETER'S BROOK DRAINAGE IMPROVEMENTS PROJECT, (BRIAN DRIVE DETENTION BASIN MODIFICATIONS) IN THE SUM OF \$143,912.00

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-07-17-252 is appended to the official minutes

AWARD OF CONTRACT TO TOP LINE CONSTRUCTION CORP. FOR CORIELL DRIVE MILL AND RESURFACE PROJECT (NORTH SHORE DRIVE TO CATALPA DRIVE), IN THE SUM OF \$78,896.82

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-07-17-254 is appended to the official minutes

AWARD OF CONTRACT TO TOP LINE CONSTRUCTION CORP. FOR WALNUT AVENUE MILL AND RESURFACE PROJECT (PINE STREET TO ARDMAER DRIVE), IN THE SUM OF \$86,372.44

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-07-17-255 is appended to the official minutes

AUTHORIZING CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT INCREASING THE CONTRACT PRICE BY THE SUM OF \$38,425.00 FOR THE VAN HOLTEN ROAD IMPROVEMENT PROEJCT, PHASE III WITH BLACK ROCK ENTERPRISES, LLC. FROM THE PRICE OF \$384,686.85 TO \$423,111.85.

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-07-17-256 is appended to the official minutes

AWARD OF CONTRACT TO A & A CURBING, INC. FOR 2015 SIDEWALK IMPROVEMENT PROJECT IN THE SUM OF \$82,400.00

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-07-17-257 is appended to the official minutes

AWARD OF CONTRACT TO BLACK ROCK ENTERPRISES, LLC FOR THE ASCOT LANE ROAD IMPROVEMENT PROJECT (FOOTHILL ROAD TO GRAYBAR DRIVE), IN THE SUM OF \$187,568.15

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-07-17-259 is appended to the official minutes

**AWARD OF CONTRACT TO BLACK ROCK ENTERPRISES, LLC FOR THE ALLEN ROAD IMPROVEMENT PROJECT, IN THE SUM OF \$167,673.47
THE RESOLUTION WAS ADOPTED.**

A copy of resolution #15-07-17-260 is appended to the official minutes

AWARD OF CONTRACT TO BLACK ROCK ENTERPRISES, LLC FOR THE HILLCREST ROAD II IMPROVEMENT PROJECT, IN THE SUM OF \$159,500.8

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-07-17-261 is appended to the official minutes

AWARD OF CONTRACT TO BLACK ROCK ENTERPRISES, LLC FOR THE AMOUNT VERNON ROAD IMPROVEMENT PROJECT, IN THE SUM OF \$390,498.16

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-07-17-262 is appended to the official minutes

AWARD OF HVAC SERVICE CONTRACT FOR THE ADMINISTRATION BUILDING AND PUBLIC WORKS BUILDING TO TLP CLIMATE CONTROL SYSTEMS INC. MILLSTONE TOWNSHIP, NEW JERSEY FOR \$7,646.00

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-07-17-253 is appended to the official minutes

WAIVER OF FIRE PERMIT FEE IN THE AMOUNT OF \$50 FOR BRIDGEWATER UNITED METHODIST CHURCH IN CONNECTION WITH ITS TENT EVENT FOR SUNDAY WORSHIP ON SEPTEMBER 13, 2015

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-07-17-258 is appended to the official minutes

TOWNSHIP OF BRIDGEWATER RESOLUTION AUTHORIZING AND DIRECTING THE TOWNSHIP ATTORNEY TO ATTEND THE SHERIFFS SALE AUCTION AND BID ON SUCH PROPERTY TO KEEP UNIT IN THE AFFORDABLE HOUSING PROGRAM UP TO THIRTY THOUSAND DOLLARS (\$30,000)

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-07-17-263 is appended to the official minutes

On the motion of Councilman Moench, seconded by Councilwoman Rose, the meeting adjourned at 8:15pm

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Howard Norgalis
Council President