

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
AUGUST 3, 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 3, 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 (absent)
Matthew C. Moench
Filipe Pedroso (absent)
Christine Henderson Rose
Council President Norgalis

Also Present: James T. Naples, Township Administrator
William 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 Moench, seconded by Councilwoman Rose, the following minutes were moved for approval and passed unanimously:
July 20, 2015 - Regular Session

Council Reports

Councilwoman Rose:

- Has been working with Mills and Schnoering Architects, LLC on the Lane Brokaw house report.

Councilman Moench:

- 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.

Council president Norgalis:

- Attended a Business Partnership meeting along with Councilman Moench to discuss Millennium Individuals who are described as people between 18 and 32 years of age and how Somerset County can be of interest to them.
- Advised the 4-H fair is scheduled for next Saturday.

**Mayor's
Report**

Township Administrator Naples stated there are a number of different road projects which we are trying to complete before the start of the school year. There are a lot of detours and signs advising of same. A posting advising of road closures has been placed on Township website.

**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.

It was noted a lot of the public was present for the QuickChek application that is scheduled to be heard by the Zoning Board of Adjustment. Council President Norgalis advised that this segment of the meeting is for the public to offer comments. Council will not be providing feedback to any of the comments.

Township Attorney Savo added our Ordinances state if there is an approval with the Board of Adjustment, an objector is able to make an appeal with this body. For that reason, Council cannot offer feedback or else they would be deemed disqualified or asked to recuse themselves in the event of an appeal.

Andy Guo spoke on behalf of 40 Bridgewater residents with regard to the QuickChek application. QuickChek has proposed a 24-hr food store with 20 operating gas pumps. Mr. Guo presented a petition with 1300 signatures from his area residents opposing the application. Resident complaints include:

- The application does not serve the community
- Quality of life concerns with transient motorists
- Additional traffic and congestion
- The impact of resale of properties

20 members of the public used a sign-in sheet to align their opposition with Mr. Guo's comments above.

Anthony Casale, 382 Route 28 in Bridgewater, NJ was present. He stated his opposition to the project noting he is a new resident who lives across the street from the proposed project and is very concerned over the loss of resale value to his property.

Perri and Nina Urso, 959 Route 202/206 in Bridgewater, NJ were present. They expressed gratitude to Council for hearing them and helping them when they requested an amendment to the sewer ordinance in order to allow for metering and billing per usage.

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

**Public
Hearing &
Final Action
Ordinances**

AN ORDINANCE VACATING PORTIONS OF NORTHWOOD AVENUE SITUATED IN THE TOWNSHIP OF BRIDGEWATER, SOMERSET COUNTY, NEW JERSEY

It was confirmed the piece of property will be divided in half and each of the adjoining property owners will get a piece. The legal cost associated with this vacation will be borne by the property owners.

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

THE ORDINANCE WAS ADOPTED.

A copy of resolution #15-08-03-234 is appended to the official minutes

AN ORDINANCE OF THE TOWNSHIP OF BRIDGEWATER AMENDING CHAPTER 175 SECTION 175-5 (OPTIONAL INSTALLATION OF SEWAGE METERS)

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

THE ORDINANCE WAS ADOPTED.

A copy of resolution #15-08-03-235 is appended to the official minutes

Introduction
of
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

Township Attorney Savo stated 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 Councilwoman Rose, seconded by Councilman Moench, the foregoing Ordinance was proposed. The vote was as follows:

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

THE ORDINANCE WAS INTRODUCED.

A copy of resolution #15-08-03-236 is appended to the official minutes

Linda 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 17th day of August 2015, 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.

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)

It was confirmed that a number of lots are involved in the proposal to rezone from residential to commercial and all are in agreement.

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

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

THE ORDINANCE WAS INTRODUCED.

A copy of resolution #15-08-03-237 is appended to the official minutes

Linda 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 17th day of August 2015, 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.

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

Township Attorney Savo stated 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. We have litigation that has been pending in federal court for several years. Part of the settlement 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. In such cases, the applicant will only be required to file an application with the Planning Board and provide notice to adjacent property owners.

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

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

THE ORDINANCE WAS INTRODUCED.

A copy of resolution #15-08-03-238 is appended to the official minutes

Linda 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 17th day of August 2015, 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.

**Consent
Agenda
Resolutions**

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

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

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

2015-2016 RENEWAL OF TOWNSHIP OF BRIDGEWATER CLUB LIQUOR LICENSE

a) GERALD ABREGO POST #327 - AMERICAN LEGION

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-08-03-239 is appended to the official minutes

2015-2016 RENEWAL OF TOWNSHIP OF BRIDGEWATER PLENARY RETAIL CONSUMPTION LIQUOR LICENSES

a) ARBER CORPORATION t/a FRATELLI'S RESTAURANT

b) AMC THEATRES OF NEW JERSEY, INC

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-08-03-240 is appended to the official minutes

Resolutions

AUTHORIZING SUBMISSION OF A GRANT APPLICATION IN THE AMOUNT OF \$5,000.00 TO THE STATE OF NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY FOR THE DRIVE SOBER OR GET PULLED OVER 2015 STATEWIDE LABOR DAY CRACKDOWN

Township Administrator Naples stated we have been very successful in the past in apprehending drunk drivers. During this period, the police will be paid the state rates.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-08-03-241 is appended to the official minutes

AUTHORIZING EXECUTION OF A DEVELOPER'S AGREEMENT BETWEEN THE TOWNSHIP OF BRIDGEWATER AND BRIDGEWATER CHEVROLET, INC. FOR THE CONSTRUCTION OF AN ADDITION TO THE FRONT OF THE EXISTING DEALERSHIP BUILDING ON LOT 2.02 IN BLOCK 356 ON THE BRIDGEWATER TOWNSHIP TAX MAP IN ACCORDANCE WITH PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL, VARIANCES AND DESIGN WAIVERS GRANTED BY THE TOWNSHIP ZONING BOARD OF ADJUSTMENT

Council President Norgalis advised that once an applicant has obtained approval from a land use board, a developer's agreement is the vehicle whereby the Township can continue to track the process over time and ascertain the conditions of approval are implemented.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-08-03-242 is appended to the official minutes

AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE, IN THE AMOUNT OF \$570,879.10, ACCEPTANCE OF THE SITE IMPROVEMENTS AND ACCEPTANCE OF THE CASH MAINTENANCE GUARANTEE IN THE AMOUNT OF \$57,087.92 (SLIGHTLY OVER 10%) FOR BRIDGEWATER VENTURES, LLC FORMERLY KNOWN AS BLOCK 303, LOT 6 LOCATED AT 9 FINDERNE AVENUE, BRIDGEWATER, NJ

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-08-03-243 is appended to the official minutes

PERSON TO PERSON PLENARY RETAIL CONSUMPTION LIQUOR LICENSE TRANSFER FROM NORTHWINDS CORP. COMMONLY KNOWN AS REDWOOD INN, POCKET LICENSE NUMBER 1806-33-023-003 TO REDSTONE AMERICAN GRILL, INC. , NEW LIQUOR LICENSE #1806-33-023-004

Council President Norgalis advised Redstone is based in Minnesota and they currently have five (5) locations throughout the Country.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution #15-08-03-24 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 land acquisition.

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 Moench, Council convened in closed session at approximately 8:10 p.m.

A copy of resolution #15-08-02-245 is appended to the official minutes.

On the motion of Councilwoman Rose, seconded by Councilman Moench, the meeting reconvened to open session at approximately 8:20 p.m. and adjourned immediately thereafter.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Howard Norgalis
Council President