

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
MARCH 7, 2016 COUNCIL CHAMBERS

The Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, convened in a regular session on Monday, March 7, 2016 at 7:30 p.m. in Council Chambers in the Municipal Complex, Bridgewater, New Jersey 08807.

Council President Pedroso 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 4, 2016 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:

Matthew C. Moench (absent)
Howard Norgalis
Christine Henderson-Rose
Council Vice President Allen Kurdyla
Council President Filipe Pedroso

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

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

Public Comment

On motion of Councilman Norgalis, 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.

John Anderson was present on behalf of Jersey Central Power & Light (JCP&L). Mr. Anderson, is the Area Manager and was present to provide Council an update on two matters:

1. A resident of Bridgewater contacted the Mayor's office and complained about power outage out of the Somerset substation which is Route 202/206 North not far from the old sanofi site. Following this outage, foot

patrol was conducted and the problem was identified. Additional analysis has been conducted and some work which includes additional fusing is anticipated so as to help in localizing any future outages.

2. Mr. Anderson advised JCP&L will commence vegetation management in the next month for their dead river substation. The streets that will be affected in Bridgewater are:

- Blazer Road
- Buttonwood Lane
- Christie Drive
- Claire Drive
- Darren Drive
- Jennifer Lane
- Liberty Corner Martinsville Road
- Sunset Lane
- Washington Valley Road

Township Administrator Naples commended Mr. Anderson & JCP&L for their responsiveness and continued good work.

Michael Bessasparis of Somerset Hills Towing was present to provide an update on their towing license issue. Township Attorney Savo stated this is inappropriate and out of order as this matter is on appeal before a hearing officer appointed by the Mayor later in the month. Comments today might prejudice that hearing. Council agreed to listen without providing comment. Mr. Bessasparis asked that the Council get involved in the issue involving his license as it appears senseless and a matter of harassment.

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

**Closed
Session**

BE IT RESOLVED, by the Bridgewater Township Council that this body will now hold a closed meeting to discuss land acquisition and personnel issues.

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 Councilman Norgalis, seconded by Councilwoman Rose, Council convened in closed session at approximately 7:45 p.m.

A copy of resolution [#16-03-07-081](#) is appended to the official minutes.

On the motion of Councilwoman Rose, seconded by Councilman Kurdyla, the meeting reconvened to open session at approximately 8:10 p.m.

Council Reports

Councilwoman Rose:

- Attended the gathering for Geoff Soriano, Esq. when he left office as Somerset County Prosecutor on Friday.

Council vice-president Kurdyla:

- The fire district elections were held in February and all department budgets were passed
- Attended the wine tasting for the Bridgewater Lacrosse

Councilman Norgalis:

- Congratulated Council President Pedroso who received an award from Kean college for his human rights activity
- Alex Fischer, Esq. is now partner in the firm of Mauro, Savo, Camerino & Grant
- Attended a meet and greet for Congressman Leonard Lance who is running for office and continues to be available locally
- Attended Bridgewater Baseball and Softball wine tasting at the Bridgewater Manor
- This coming Wednesday is the governing official's meeting to be held at the Robert Wood Johnson University Hospital
- The "Women of the year" celebration is coming up on 18th March

Councilman Pedroso:

- Also attended the meet and greet for Congressman Leonard Lance
- Attended Bridgewater Baseball and Softball wine tasting event
- Received a recognition at the conference on African and Portuguese Studies at Kean University and had the privilege of meeting the permanent ambassador who represents the African union, the Ambassador to Angola and other dignitaries.

Mayor's Report

Township Administrator Naples:

- Nothing new to report.

MUNICIPAL BUDGET

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR THE 2016 CALENDAR YEAR (N.J.S.A. 40A: 4-45.14)

Councilman Norgalis stated this is something we do every year. It 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.

BE IT RESOLVED that the said pending ordinance be passed on first reading and advertised as required by statute fixing the 21st day of March 2016, at 7:30 p.m. prevailing time on said day and time and the Bridgewater Township Municipal Court Chambers at 100 Commons Way in said Township 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.

On motion of Councilman Norgalis, seconded by Councilman Kurdyla, the foregoing Ordinance was proposed for introduction. The vote was as follows:

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

THE ORDINANCE WAS ADOPTED.

A copy of resolution [#16-03-07-082](#) is appended to the official minutes.

INTRODUCTION OF 2016 MUNICIPAL BUDGET

Council President Pedroso opened the hearing to Council for further discussion on this Ordinance. Council was in consensus to move the budget for introduction.

Linda J. Doyle, Township Clerk read the following report:

The 2016 Municipal Budget for Bridgewater Township will be introduced today, March 7, 2016. The budget synopsis will be published in the official Township newspaper the Courier News on Friday, March 11, 2016.

A copy of the 2016 Municipal Budget will be delivered to the Somerset County Library upon introduction as required by law. Copies of the 2016 Municipal Budget as introduced are available to the general public at no cost.

The public hearing and adoption for the budget will be held during the Township Council session on March 21, 2016, at 7:30 pm in the courtroom of the Municipal Complex located at 100 Commons Way, Bridgewater, New Jersey.

On motion of Councilman Norgalis, seconded by Councilman Kurdyla, the Municipal budget was introduced. The vote was as follows:

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

THE RESOLUTION WAS ADOPTED.

A copy of the budget as introduced, resolution [#16-03-07-083](#) is appended to the official minutes.

SELF-EXAMINATION OF BUDGET RESOLUTION

Councilman Norgalis advised this resolution will allow Natasha Turchan, Chief Financial Officer to self examine our budget and confirm that we have followed the parameters allocated to us by the Local Finance Board.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-03-07-084](#) is appended to the official minutes

Public
Hearing &
Final Action
Ordinances

AN ORDINANCE OF THE TOWNSHIP OF BRIDGEWATER AMENDING SECTION 126-195 (SIGNS) OF ARTICLE XXIV (DESIGN DETAILS AND CRITERIA) OF PART 8 (SITE PLAN REVIEW) OF CHAPTER 126 (LAND USE) OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER SO AS TO AMEND SUBSECTION F (GENERAL REGULATIONS), TO NEW SUBSECTION 7c, BY SETTING FORTH THE METHOD OF COMPUTATION UTILIZED TO DETERMINE THE SQUARE FOOTAGE OF TWO SIDED FREESTANDING SIGNS

On motion of Councilwoman Rose, second my Councilman Norgalis, the meeting was opened to the public

No one wished to speak.

On motion of Councilwoman Rose, second my Councilman Norgalis, the meeting was closed for public comment.

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

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

THE ORDINANCE WAS PASSED.

A copy of resolution [#16-03-07-085](#) is appended to the official minutes

AN ORDINANCE OF THE TOWNSHIP OF BRIDGEWATER AMENDING SECTION 126-201 (INTERPRETATION; VARIANCES) OF ARTICLE XXV (TITLE; INTERPRETATION) OF PART 9 (SUBDIVISIONS) OF CHAPTER 126 (LAND USE) OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER SO AS TO CLARIFY THAT, UNDER CERTAIN CIRCUMSTANCES, DEVELOPMENT SHALL ALSO BE IN ACCORDANCE WITH PART 8 (SITE PLAN REVIEW)

On motion of Councilman Kurdyla, second my Councilwoman Rose, the meeting was opened to the public

No one wished to speak.

On motion of Councilwoman Rose, second my Councilman Norgalis, the meeting was closed for public comment.

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

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

THE ORDINANCE WAS PASSED.

A copy of resolution [#16-03-07-086](#) is appended to the official minutes

AN ORDINANCE OF THE TOWNSHIP OF BRIDGEWATER AMENDING SECTION 126-314.2 (GC GENERAL COMMERCIAL ZONE) OF ARTICLE XLII (USE REGULATIONS) OF PART 12 (ZONING) OF CHAPTER 126 (LAND USE) OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER SO AS TO AMEND SUBSECTION 7 (MAXIMUM FLOOR AREA FOR A TWO STORY OR HIGHER RETAIL OFFICE MIXED USE STRUCTURE) OF SUBSECTION F (BULK REQUIREMENTS FOR THE GC ZONE) OF SECTION 126-314.2 (GC GENERAL COMMERCIAL ZONE) SO AS TO CHANGE THE MAXIMUM FLOOR AREA FOR A TWO STORY OR HIGHER RETAIL OFFICE MIXED USE STRUCTURE FROM 0.50 TO 0.40 UNDER CERTAIN CIRCUMSTANCES

On motion of Councilwoman Rose, second my Councilman Kurdyla, the meeting was opened to the public

No one wished to speak.

On motion of Councilwoman Rose, second my Councilman Kurdyla, the meeting was closed for public comment.

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

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

THE ORDINANCE WAS PASSED.

A copy of resolution [#16-03-07-087](#) is appended to the official minutes

AN ORDINANCE OF THE TOWNSHIP OF BRIDGEWATER AMENDING SECTION 126-329 (IMPROVED LOT COVERAGE) OF ARTICLE XLIV (SUPPLEMENTARY LOT, HEIGHT AND YARD REGULATIONS) OF PART 12 (ZONING) OF CHAPTER 126 (LAND USE) OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER SO AS TO 1) DELETE THE TITLE OF SUBSECTION A ENTITLED "RESIDENTIAL USES" WITH ALL OTHER LANGUAGE OF SUBSECTION A REMAINING, 2) DELETE THE ENTIRETY OF SUBSECTION B (INSTITUTIONAL AND CONDITIONAL USES) AND 3) DELETE THE ENTIRETY OF SUBSECTION C (BONUS FOR DECREASE IN IMPROVED LOT COVERAGE); SUBSECTION D (BUILDING, GRAVEL AND/OR OTHER STONE SURFACES USED FOR PARKING, DRIVEWAYS OR WALKWAYS) SHALL REMAIN IN ITS ENTIRETY

On motion of Councilman Norgalis, second my Councilwoman Rose, the meeting was opened to the public

No one wished to speak.

On motion of Councilwoman Rose, second my Councilman Norgalis, the meeting was closed for public comment.

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

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

THE ORDINANCE WAS PASSED.

A copy of resolution [#16-03-07-088](#) is appended to the official minutes

AN ORDINANCE OF THE TOWNSHIP OF BRIDGEWATER AMENDING SUBSECTION C (CRITERIA FOR CLUSTER DEVELOPMENT) OF SECTION 126-349 (CLUSTER DEVELOPMENT) OF ARTICLE XLVI (CONDITIONAL USES) OF PART 12 (ZONING) OF CHAPTER 126 (LAND USE) OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER SO AS TO ADD A NEW SUBSECTION (5) a & b FOR THE PURPOSE OF SETTING FORTH THE METHOD OF METHOD OF COMPUTATION OF LOT AREA, LOT COVERAGE, LOT WIDTH AND FLOOR AREA RATIO (FAR) FOR EACH LOT

On motion of Councilwoman Rose, second my Councilman Kurdyla, the meeting was opened to the public

No one wished to speak.

On motion of Councilwoman Rose, second my Councilman Norgalis, the meeting was closed for public comment.

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

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

THE ORDINANCE WAS PASSED.

A copy of resolution [#16-03-07-089](#) is appended to the official minutes

Introduction
of
Ordinances

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER SO AS TO CREATE A NEW CHAPTER 153 ENTITLED "DEALERS OF PRECIOUS METALS AND SECONDHAND GOODS; LICENSING AND REGULATION"

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

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

THE ORDINANCE WAS INTRODUCED.

A copy of resolution [#16-03-07-090](#) 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 21st day of March 2016, 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.

Resolutions

Council President Pedroso read the following resolutions by title and called for a consent motion.

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

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

AWARD TO RJS ASSOCIATES LANDSCAPING, INC., 85 LOESER ROAD BRIDGEWATER NEW JERSEY FOR SNOW REMOVAL SERVICE FOR 2016 IN THE AMOUNT OF \$50,000.00

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-03-07-091](#) is appended to the official minutes

AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE, IN THE AMOUNT OF \$8,392.00 PERFORMANCE CASH BOND IN THE AMOUNT OF \$8,392.00, ACCEPTANCE OF THE SITE IMPROVEMENTS MICHAEL FATTORE, BLOCK 113.01, LOT 14, 16 IVY LANE

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-03-07-092](#) is appended to the official minutes

AUTHORIZING CHANGE ORDER NO. 1/FINAL CHANGE ORDER DECREASING THE PRICE FROM \$411,693.83 TO \$386,204.70 A DECREASE OF \$25,489.13, AND FINAL PAYMENT TO DESANTIS CONSTRUCTION, INC., AND AUTHORIZING ACCEPTANCE OF THE PROJECT AND RELEASE OF PERFORMANCE BOND AND ACCEPTANCE OF MAINTENANCE BOND FOR THE GILBRIDE ROAD IMPROVEMENT PROJECT - PHASE 2 (CHIMNEY ROCK ROAD TO BRIDGE)

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-03-07-093](#) is appended to the official minutes

AUTHORIZING CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT INCREASING THE CONTRACT PRICE BY THE SUM OF \$32,116.00 FOR THE VAN HOLTEN ROAD IMPROVEMENT PROEJCT, PHASE IV (FOXCROFT ROAD TO CARLENE DRIVE) WITH BLACK ROCK ENTERPRISES, LLC. FROM THE PRICE OF \$223,836.24 TO \$255,952.24.

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-03-07-094](#) is appended to the official minutes

AUTHORIZING CHANGE OF SCOPE TO THE PROFESSIONAL SERVICES CONTRACT INCREASING THE CONTRACT PRICE BY THE SUM OF \$6,300.00 FOR ADDITIONAL DETAIL DESIGN SERVICES FOR ADDITIONAL DRAINAGE FOR THE VAN HOLTEN ROAD IMPROVEMENT PROEJCT, PHASE IV (FOXCROFT ROAD TO CARLENE DRIVE) CONTRACT PRICE WITH KELLER & KIRKPATRICK, INC. FROM THE PRICE OF \$44,800.00 TO \$51,100.00

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-03-07-095](#) is appended to the official minutes

AUTHORIZING CHANGE ORDER NO. 1/ FINAL CHANGE ORDER DECREASING THE PRICE FROM \$82,400.00 TO \$75,478.50, WHICH IS A DECREASE OF 8.40% OR (\$6,921.50) FROM THE ORIGINAL CONTRACT AMOUNT, AND FINAL PAYMENT TO A&A CURBING, INC., AND AUTHORIZING ACCEPTANCE OF THE PROJECT AND RELEASE OF PERFORMANCE GUARANTEE AND ACCEPTANCE OF THE MAINTENANCE BOND FOR THE 2015 SIDEWALK IMPROVEMENT PROJECT

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-03-07-096](#) is appended to the official minutes

AUTHORIZATION FOR FIREWORK DISPLAYS AT SOMERSET PATRIOTS STADIUM ON APRIL 21, APRIL 22, MAY 14, MAY 20, MAY 25 AND JUNE 4, 2016

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-03-07-097](#) is appended to the official minutes

2016 SOMERSET COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-03-07-098](#) is appended to the official minutes

SUPPORTING NEW JERSEY DEPARTMENT OF TRANSPORTATION RECOMMENDATION THAT THE EXISTING CENTERLINE PAVEMENT MARKINGS ON ROUTE (US) 202 THROUGHOUT THE ENTIRE LENGTH OF BRIDGEWATER TOWNSHIP WILL REMAIN AS IS “NO PASSING ZONE” FOR SAFETY REASONS BASED ON A NJDOT INVESTIGATION

Township Administrator Naples confirmed he called NJDOT to inquire about the investigation report that would support the need for a “no passing zone” and it confirmed they do not have one.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-03-07-099](#) is appended to the official minutes

APPOINTMENT OF DAVID C. BATTAGLIA AS DIRECTOR OF DEPARTMENT OF MUNICIPAL SERVICES/TOWNSHIP ENGINEER

It was confirmed that Mr. Battaglia was interviewed by the Mayor and his staff and was introduced to the Council earlier at a closed session meeting. This resolution confirms that Council consents to said appointment.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-03-07-100](#) is appended to the official minutes

On the motion of Councilman Norgalis, seconded by Councilwoman Rose, the meeting adjourned at approximately 8:35 p.m.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Filipe Pedroso
Council President