

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

The Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, convened in a regular session meeting on Thursday, July 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
Howard Norgalis
Christine Henderson Rose (absent)
Vice President Allen Kurdyla
Council President Filipe Pedroso

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

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

Minutes for Approval

On motion of Councilman Moench, second by Councilman Kurdyla, the June 2, 2016 Regular Session minutes were moved for approval and passed on the following roll call vote:

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

The closed session minutes of June 2, 2016 were distributed for approval.

Council Reports

Councilman Kurdyla:

- Attended the ceremony at middlebrook encampment for the reading of the declaration of independence.
- Brady Kurdyla was nominated by the Eisenhower school for a citizenship award and recognized for his achievements at school and his demeanor

regarding civics and people.

Councilman Moench:

- Nothing new to report

Councilman Norgalis:

- Attended the Bridgewater Raritan middleschool graduation in which 694 young people received their diplomas
- Attended the DiFrancesco Bateman breakfast where Senator Sweeney spoke about the status of New Jersey. The Mayor and Township Administrator Naples were in attendance
- Attended the Somerset County Republican Women's wine and cheese social which was a networking event.

Council President Pedroso:

- Missed the June 20th Council meeting as he was away for his younger brother's wedding, an attorney who has dedicated his career to serving victims of domestic violence. While his oversees relatives were here, he toured the Nation's capital and Philadelphia and showed them around
- Attended a Van Holten award ceremony where his daughter Julia received the President's award

Mayor's Report Mr. Naples had nothing new to report

Presentations OPEN SPACE ADVISORY COMMITTEE

James Weideli, President of the Open Space Advisory Committee was present for to give a presentation. He discussed the Open Space budget as follows:

1. Balance available as of 2/22/16 = \$7,482,647.66
This amount is the gross total of remaining funds in the Open Space Trust Fund.
2. The potential Parks set-aside is \$1,536,535.71.
This amount is available for use on park improvements per the referendum of 2008
3. Current Commitment = \$1,165,220.10
This amount is set-aside for purchases of Open Space that have been authorized by the governing body but not yet closed by legal (Sale pending)
4. Future Debt = \$404,377
This amount is set aside for remaining debt payments on the original bond issued to pay for open space purchases while the fund generated a sufficient balance.

5. Other = \$4,376,514

This represents the total uncommitted funds remaining in the Open Space Trust Fund

As the average open space project is over a million dollars and 3-4 projects will deplete the open space fund, the Open Space committee recommendation is to put a question on the ballot and let the voters decide if they will agree to an open space tax.

The average assessed value for Bridgewater in 2016 is \$424,158.08. Based on 2016 Assessment, 1cent would equal \$850,621.00 collected in Open Space tax if the referendum passed. The average home assessment would be \$40 per year.

Mr. Weideli noted this would have to be submitted to the County by August 19 in order to be placed on the November ballot.

Council commended the Open Space Committee for their hard work. They will take this information into advisement and consideration moving forward.

Discussion

GREEN KNOLL GRILLE (GKG)

Attorney Pasquale Marago was present to represent Green Knoll Grille. At the last Council meeting, the annual liquor license for the GKG was on the agenda for renewal. However, there was question about increased police activity and whether or not the current conditions placed on the liquor license were sufficient to address police and resident concerns. Council agreed to give GKG an opportunity to address these concerns thus the reason they were before Council tonight.

Attorney Marago stated GKG does not believe that additional restrictions are necessary and added GKG is complying with all restrictions that are currently in place. He stated GKG feels it is being singled out and should not be penalized for calling the police.

After a lengthy discussion, GKG committed to additional training for the security and bartenders so that a process is implemented where customers are not being served alcohol to a point of being inebriated. They will also train on how to identify legitimate ID's and require 3-forms of ID's for those with foreign identifications.

Council President Pedroso strongly advised that GKG is not being singled out but the Council interest is to protect the well being of the community. With the above noted commitment made by GKG to address the number of incidents at the establishment, they agreed to approve the renewal of the liquor license. They asked that the police department continue to advise Council of any problems at

this establishment and meet quarterly with the licensee and some representatives from the Council to address any concerns that may arise.

PLENARY RETAIL CONSUMPTION WITH SPECIAL CONDITIONS:

Mish-J.O. Investment Corp. t/a Green Knoll Grille (GKG)

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-07-07-189](#) is appended to the official minutes

**Public
Comment**

On motion of Councilman Moench, seconded by Councilman Norgalis, the meeting was opened to the public

John Kulak, 13 Ramsey Street was present. He asked for a copy of the Eden Woods resolution that is on the agenda tonight. He noted he continues to be opposed to the redevelopment plan at the Eden Woods property.

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

**Introduction
of
Ordinances**

AN ORDINANCE TO SET THE COMPENSATION OF THE MAYOR, TOWNSHIP COUNCIL MEMBERS, DEPARTMENT HEADS AND CERTAIN OTHER MUNICIPAL EMPLOYEES PURSUANT TO CHAPTER 374 OF THE PUBLIC LAWS OF 1985; N.J.S.A. 2A:809; N.J.S.A. 2A:8-13; N.J.S.A. 40A:9-165; N.J.S.A.40A:9-135; N.J.S.A. 40A:9-146, AND CHAPTER 95 OF THE PUBLIC LAWS OF 1996

Township Administrator Naples stated the salary and wage ordinance for 2016 reflects a wage increase of 2% for all positions with the exception of the Mayor and Council which remain at no increase from the previous year. The Director of Law and Municipal Prosecutor are contracted positions. The Public Defender is paid per session and the amount will remain the same as the previous year.

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

Councilman Moench	Aye
Councilman Norgalis	Aye
Councilwoman Rose	Absent

Councilman Kurdyla Aye
Council President Pedroso Aye

THE ORDINANCE WAS INTRODUCED.

A copy of resolution [#16-07-07-191](#) is appended to the official minutes

Grace Karanja, Deputy 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 18th of July 2016, at 7:30 p.m. prevailing time on said day as the time and the Bridgewater Township Municipal Court Chambers at 100 Commons Way in said Township as the place for hearing and final action; and

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

RESOLUTION COMBINING BONDS AGGREGATING THE PRINCIPAL SUM OF \$8,349,000 AUTHORIZED BY SIX BOND ORDINANCES HERETOFORE ADOPTED TO FINANCE PART OF THE COST OF VARIOUS GENERAL IMPROVEMENTS IN THE TOWNSHIP OF BRIDGEWATER, COUNTY OF SOMERSET, NEW JERSEY INTO ONE CONSOLIDATED ISSUE OF BONDS AND PROVIDING FOR THE FORM, MATURITIES AND OTHER DETAILS OF SAID CONSOLIDATED ISSUE.

Township Administrator Naples explained the purpose of this resolution is to combine the bonds authorized under said six ordinances into one consolidated issue in the aggregate principal amount of \$8,349,000

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-07-07-190](#) is appended to the official minutes

GRANTING A WAIVER FROM SECTION 8E(7) OF AN ORDINANCE OF THE TOWNSHIP OF BRIDGEWATER ADOPTING A "REDEVELOPMENT PLAN" FOR LOTS 3.01, 13.01 AND 14 IN BLOCK 329, KNOWN AS FORMER WEYERHAUSER PROPERTY, REQUIRING THE REDEVELOPER TO SEEK AND OBTAIN APPROVAL

FOR THE INSTALLATION OF A TRAFFIC LIGHT AT THE INTERSECTION OF EAST MAIN AND A PROPOSED NEW STREET

Councilman Moench made motion to table this matter to allow Councilwoman Rose to be present for the vote. The motion was seconded by Councilman Kurdyla and carried on the following roll call vote:

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

PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2016 BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) CLEAN COMMUNITIES-\$114,384.48

Township Administrator Naples advised the amount is approximately \$14,000 more from the previous year and is based on a formula from the State.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-07-07-192](#) is appended to the official minutes

PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2016 BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) EMERGENCY MANAGEMENT-\$5,000.00

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-07-07-193](#) is appended to the official minutes

AUTHORIZING EXECUTION OF A DEVELOPER’S AGREEMENT BETWEEN THE TOWNSHIP OF BRIDGEWATER AND MERCAL, LLC FOR THE DEVELOPMENT AND CONSTRUCTION ON 866 COUNTRY CLUB ROAD, LOTS 1.02 & 1.03, TO BE NEWLY CREATED (FORMERLY LOTS 1 & 2), IN BLOCK 454 ON THE BRIDGEWATER TOWNSHIP TAX MAP, OF A TWO LOT RESIDENTIAL SUBDIVISION INTENDED FOR THE CONSTRUCTION OF TWO RESIDENTIAL SINGLE - FAMILY HOMES PURSUANT TO PRELIMINARY AND FINAL MAJOR SUBDIVISION APPROVAL GRANTED BY THE BRIDGEWATER TOWNSHIP PLANNING BOARD

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-07-07-194](#) is appended to the official minutes

AUTHORIZING CHANGE ORDER NO. 1/FINAL CHANGE ORDER IN THE SUM OF \$22,630.60, DECREASING THE AMENDED CONTRACT PRICE FROM THE ORIGINAL CONTRACT PRICE OF \$194,478.86 TO \$171,848.26, WHICH IS A 11.64% DECREASE FROM THE ORIGINAL CONTRACT PRICE, AND FINAL PAYMENT TO DESANTIS CONSTRUCTION, INC., AND AUTHORIZING ACCEPTANCE OF THE PROJECT AND RELEASE OF THE PERFORMANCE BOND AND ACCEPTANCE OF THE MAINTENANCE BOND FOR THE PAPER ROAD IMPROVEMENT PROJECT (MINE ROAD TO GATESHEAD DRIVE) PROJECT FUNDED THROUGH THE 2015 CAPITAL BOND

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-07-07-195](#) is appended to the official minutes

AUTHORIZING THE RELEASE OF THE MAINTENANCE GUARANTEE IN THE AMOUNT OF \$17,422.49 (CASH) FOR ROMAN JEWELERS, BLOCK 551, LOT 1, 500 COMMONS WAY, BRIDGEWATER, NJ 08807

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-07-07-196](#) is appended to the official minutes

AWARD OF CONTRACT TO PORTOFINO BUILDERS, LLC FOR 2016 SIDEWALK IMPROVEMENT PROJECT, IN THE SUM OF \$37,425.00

Township Administrator Naples stated this is a very favorable price and recommended moving forward with this project.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-07-07-197](#) is appended to the official minutes

AUTHORIZING A GRANT/LOAN IN THE AMOUNT OF \$5,000.00 TO MICHAEL LEONARD, RESIDING AT 3905 FRENCH DRIVE, LOT 3905, BLOCK 199, BRIDGEWATER, NEW JERSEY 08807 IN ACCORDANCE WITH THE BRIDGEWATER TOWNSHIP CONDOMINIUM FEE ASSISTANCE PROGRAM FOR AFFORDABLE HOUSING UNITS, CHAPTER 126-SECTION 321.4Q

Township Administrator Naples stated this is the first request by the owners for assistance.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-07-07-198](#) is appended to the official minutes

REQUEST FOR WAIVER OF FIRE PERMIT FEE IN THE TOTAL AMOUNT OF \$100.00 FOR THE SOMERSET COUNTY OFFICE ON AGING AND DISABILITY SERVICES ROUND DANCING PROGRAM BEING HELD AT THE ADAMSVILLE AND MILLTOWN SCHOOLS BETWEEN SEPTEMBER, 2016 AND JUNE 2017

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-07-07-199](#) is appended to the official minutes

RESOLUTION AWARDING A CONTRACT FOR THE RIGHT TO LEASE GROUND SPACE FOR THE CONSTRUCTION AND MANAGEMENT OF A 150 FOOT MONOPOLE, CAPABLE OF A FUTURE 10 FOOT EXTENSION AND CAPABLE OF ACCOMMODATING UP TO FIVE CARRIERS, AND FOR THE PLACEMENT OF WIRELESS COMMUNICATIONS ANTENNAS AND GROUND EQUIPMENT AT THE LIBRARY FACILITY AT 1 VOGT DRIVE WITH SIMULTANEOUS LEASING AND CO-LOCATION OF ADDITIONAL CARRIERS AT THE SAME SITE.

Township Attorney Savo stated this resolution is as a result of litigation. If approved, there is a potential of \$100,000 revenue for the Township. Council President Pedroso stated he will not be supporting this as he has not supported it in the past due to the height of the monopole which he feels is excessive.

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

Councilman Moench	Aye
Councilman Norgalis	Aye

Councilwoman Rose	Absent
Council Vice-President Kurdyla	Aye
Council President Pedroso	Nay

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#16-07-07-200](#) 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 litigation and acquisition of property.

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 Councilman Kurdyla, Council convened in closed session at approximately 9:25 p.m.

A copy of resolution [#16-07-07-201](#) is appended to the official minutes.

On the motion of Councilman Moench, seconded by Councilman Norgalis, the meeting reconvened to open session at approximately 9:35 p.m. and adjourned immediately thereafter.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Filipe Pedroso
Council President