

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
NOVEMBER 10, 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, November 10, 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
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.

Closed Session

BE IT RESOLVED, by the Bridgewater Township Council that this body will now hold a closed meeting to discuss COAH 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 Councilman Moench, seconded by Councilman Norgalis, Council convened in closed session at approximately 7:31 p.m.

A copy of resolution [#16-11-10-287](#) is appended to the official minutes.

On the motion of Councilman Norgalis, seconded by Councilman Kurdyla, the

meeting reconvened to open session at 7:55 p.m.

Minutes for Approval

On motion of Councilman Norgalis, second by Councilman Moench, the October 17, 2016 Regular Session minutes were moved for approval and passed on the following roll call vote:

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

Council Reports

Councilwoman Rose:

- No report.

Councilman Kurdyla:

- Had the pleasure this past weekend to attend the Diwali celebration with Mayor Hayes and Councilman Norgalis - it was a great event.

Councilman Moench:

- Congratulated all electoral candidates
- Announced he will be unable to attend the league of municipalities in Atlantic City this year as his wife will soon be delivering their baby.

Councilman Norgalis:

- Announced the death of Herbie Vallas, a very successful businessman with a philanthropic spirit. He will be remembered as having done a lot for the Branchburg and Bridgewater communities over the decades and will be missed.
- Attended the Somerset County dedication to honor the Van Horne house near the ball park in Finderne
- Attended the Bridgewater Creative Arts Committee display of art at the town hall and congratulated its chairperson, Stephanie Moench for a job well done
- Attended the Somerset County Planning Board meeting pushing for complete street policies by all County municipalities
- Was present at a very well attended Bridgewater Health Fair
- Attended a very educational Diwali celebration along with Councilman Kurdyla

Council President Pedroso:

- Attended, along with Councilman Norgalis and Councilman Kurdyla the sanofi awards event where sanofi presented approximately \$110,000 to several non-profits and groups throughout New Jersey
- Attended the Somerset County Regional Partnership meeting today

Mayor's Report Mr. Naples had no report.

Public Comment On motion of Councilman Kurdyla, seconded by Councilman Norgalis, 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 address the Council.

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

Introduction of Ordinances **ORDINANCE OF THE BRIDGEWATER TOWNSHIP COUNCIL AUTHORIZING THE ACQUISITION OF LAND IDENTIFIED AS LOT 15 IN BLOCK 477 ALSO KNOWN AS 901 ROUTE 202/206 NORTH FOR THE PURCHASE PRICE OF \$525,000 TO BE PAID FROM THE AFFORDABLE HOUSING TRUST FUND**

Township Attorney Savo stated this is an Ordinance that was introduced before but tabled because administration wanted to negotiate further with Woodmont. It was confirmed the size of this property is 1.2acres and this information will be included in the body of the Ordinance.

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

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

THE ORDINANCE WAS INTRODUCED.

A copy of resolution [#16-11-10-271](#) is appended to the official minutes

Linda J. 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 5th day of December 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 APPROVING THE SETTLEMENT OF MT. LAUREL DECLARATORY JUDGMENT LITIGATION WITH FAIR SHARE HOUSING CENTER AND AUTHORIZING THE TOWNSHIP ATTORNEY TO FINALIZE THE LANGUAGE OF A SETTLEMENT AGREEMENT PROVIDING FOR THE JUDICIAL EQUIVALENT OF THIRD ROUND SUBSTANTIVE CERTIFICATION AND AUTHORIZING AND DIRECTING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE THE FINAL FORM OF THE SETTLEMENT AGREEMENT

Township Attorney Savo stated we have been involved in litigation on the 3rd round COAH obligation for a while now. This resolution is to approve a settlement that will not require additional affordable housing construction for the next 10-years.

Council commended Township Planner Scarlett Doyle and Township Attorney Alex Fischer for their extraordinary work and diligence over the years and was in consensus that this is a great settlement.

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

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

THE RESOLUTIONS WAS ADOPTED.

A copy of resolution [#16-11-10-272](#) 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) BULLETPROOF VEST PARTNERSHIP GRANT - \$9,388.00

Township Administrator Naples stated the amount is slightly less than last year because it varies based upon the type of vests.

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	Aye
Council Vice-President Kurdyla	Aye
Council President Pedroso	Aye

THE RESOLUTIONS WAS ADOPTED.

A copy of resolution [#16-11-10-273](#) 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 YOUTH SERVICES COMMISSION GRANT-NEWCOMERS CLUB - \$5,000.00

Township Administrator Naples stated we have supported this club in the past.

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	Aye
Council Vice-President Kurdyla	Aye
Council President Pedroso	Aye

THE RESOLUTIONS WAS ADOPTED.

A copy of resolution [#16-11-10-274](#) 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) BODY ARMOR REPLACEMENT FUND GRANT -\$6,274.30

Township Administrator Naples stated these funds will be used to replace our existing vests.

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	Aye
Council Vice-President Kurdyla	Aye
Council President Pedroso	Aye

THE RESOLUTIONS WAS ADOPTED.

A copy of resolution [#16-11-10-275](#) is appended to the official minutes.

AUTHORIZING SUBMISSION OF THE FISCAL YEAR 2017-18 BRIDGEWATER/RARITAN MUNICIPAL ALLIANCE REQUEST FOR GRANT APPLICATION TO FUND SUBSTANCE ABUSE PREVENTION PROGRAMS WITH SOMERSET COUNTY BOARD OF CHOSEN FREEHOLDERS IN THE AMOUNT OF \$72,417

Township Administrator Naples confirmed the grant is \$36,208.25 with a cash

match of \$9,052.25 and an “in kind” of \$27,156.50.

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	Aye
Council Vice-President Kurdyla	Aye
Council President Pedroso	Aye

THE RESOLUTIONS WAS ADOPTED.

A copy of resolution [#16-11-10-276](#) is appended to the official minutes.

AWARD OF CONTRACT TO CAMPBELL FREIGHTLINER, LLC OF EDISON, NEW JERSEY FOR THE PURCHASE OF TWO 2017 SINGLE AXLE DUMP TRUCKS WITH A STAINLESS STEEL DUMP BODY AND PLOW IN THE AMOUNT OF \$181,877.00 EACH TOTAL COST OF \$363,754.00 AN APPROVED CAPITAL PURCHASE

Township Administrator Naples stated this will allow us to replace a 20-year old 1997 dump truck and a 2007 Mason dump truck that is inadequate for plowing.

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	Aye
Council Vice-President Kurdyla	Aye
Council President Pedroso	Aye

THE RESOLUTIONS WAS ADOPTED.

A copy of resolution [#16-11-10-277](#) is appended to the official minutes.

AWARD OF CONTRACT TO MRC OF SEA GIRT, NEW JERSEY TO PURCHASE PLAYGROUND EQUIPMENT FOR ROLLING KNOLLS PARK, GLEN PARK AND KID STREET PARK UNDER THE MIDDLESEX REGIONAL COOPERATIVE PROGRAM IN THE AMOUNT OF \$57,944.40 AN APPROVED CAPITAL PURCHASE

Township Administrator Naples stated these monies will be used to improve 3-parks by a vendor that has worked for us in the past and does great work.

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

Councilman Moench	Aye
Councilman Norgalis	Aye
Councilwoman Rose	Aye

Council Vice-President Kurdyla Aye
Council President Pedroso Aye

THE RESOLUTIONS WAS ADOPTED.

A copy of resolution [#16-11-10-278](#) is appended to the official minutes.

AUTHORIZING CHANGE ORDER NO. 1/ FINAL CHANGE ORDER DECREASING THE PRICE FROM \$100,352.77 TO \$94,132.57, WHICH IS A 6.20% DECREASE OR (\$6,220.20) FROM THE ORIGINAL CONTRACT AMOUNT, AND FINAL PAYMENT TO TOP LINE CONSTRUCTION CORP., AND AUTHORIZING ACCEPTANCE OF THE PROJECT AND RELEASE OF PERFORMANCE GUARANTEE AND ACCEPTANCE OF THE MAINTENANCE BOND FOR THE VAN HOLTEN ROAD IMPROVEMENT PROJECT, SECTION V (CARLENE DRIVE TO COUNTRY CLUB ROAD) FUNDED THROUGH THE 2016 CAPITAL PROJECT FUND

Township Administrator Naples stated that all of Van Holten has now been improved.

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

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

THE RESOLUTIONS WAS ADOPTED.

A copy of resolution [#16-11-10-279](#) is appended to the official minutes.

AUTHORIZING AWARD OF CONTRACT FOR A PERIOD NOT TO EXCEED 24 MONTHS OPEN CHANNEL FLOW MONITORING SERVICES - SANITARY SEWER SYSTEM TO THE HACH COMPANY IN THE AMOUNT OF \$106,260.00 FROM THE 2016 SEWER OPERATING BUDGET

Township Administrator Naples stated Hatch is a professional services company which will be able to monitor the flow in certain areas, helping to improve our I&I work.

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

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

THE RESOLUTIONS WAS ADOPTED.

A copy of resolution [#16-11-10-280](#) is appended to the official minutes.

AUTHORIZING THE EXECUTION OF A GRANT OF EASEMENT TO PUBLIC SERVICE ELECTRIC AND GAS COMPANY FOR A 15 FOOT WIDE UTILITY EASEMENT OVER, ALONG AND UNDER MITCHELL LANE

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	Aye
Council Vice-President Kurdyla	Aye
Council President Pedroso	Aye

THE RESOLUTIONS WAS ADOPTED.

A copy of resolution [#16-11-10-281](#) is appended to the official minutes.

AUTHORIZATION TO RESCIND RESOLUTION NUMBER 16-06-20-172, ADOPTED BY COUNCIL JUNE 20, 2016, TO AUTHORIZE THE RENEWAL OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE #1806-33-023-004 REDSTONE AMERICAN GRILL INC, POCKET LICENSE

RENEWAL OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE #1806-33-023-004, REDSTONE AMERICAN GRILL, INC, POCKET LICENSE WITH SPECIAL RULING N.J.S.A. 33:1-12.39

PLACE TO PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE 1806-33-023-004, REDSTONE AMERICAN GRILL, INC. POCKET LICENSE TO 400 COMMONS WAY SUITE 140, BRIDGEWATER

Township Clerk Doyle explained the three resolutions above noting that Red Stone American Grille plans to open business by the end of November. In doing so, they filed an application to ABC for a place to place transfer. When we first renewed them in June, ABC didn't realize that they needed a special ruling and have therefore asked us to rescind the June resolution, renew the application now having the special ruling and transfer the license to the new entity. This will allow Red Stone to open timely by end of November.

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

Councilman Moench	Aye
Councilman Norgalis	Aye
Councilwoman Rose	Aye

Council Vice-President Kurdyla Aye
Council President Pedroso Aye

THE RESOLUTIONS WERE ADOPTED.

Copies of resolution [#16-11-10-282](#), [#16-11-10-283](#) & [#16-11-10-284](#) are appended to the official minutes.

AUTHORIZING EXECUTION OF A SETTLEMENT AGREEMENT BY AND BETWEEN WOODMONT PROPERTIES AT BRIDGEWATER, LLC, THE TOWNSHIP OF BRIDGEWATER AND THE TOWNSHIP OF BRIDGEWATER PLANNING BOARD

Township Attorney Savo stated this resolution was previously approved by Council. The only difference is there is a 4-year minimum instead of a 10-year minimum before we can build on the site.

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 Aye
Council Vice-President Kurdyla Aye
Council President Pedroso Aye

THE RESOLUTIONS WAS ADOPTED.

A copy of resolution [#16-11-10-285](#) is appended to the official minutes.

REQUEST FOR REIMBURSEMENT OF CONSTRUCTION PERMIT FEES IN THE TOTAL AMOUNT OF \$328.00 FOR THE FINDERNE ENGINE COMPANY NO. 1, INC. 672 EAST MAIN STREET, BRIDGEWATER IN CONNECTION WITH RENOVATIONS TO THE FIREHOUSE

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 Aye
Council Vice-President Kurdyla Abstain
Council President Pedroso Aye

THE RESOLUTIONS WAS ADOPTED.

A copy of resolution [#16-11-10-286](#) 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 contract negotiations, property negotiations and

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 Councilman Norgalis, seconded by Councilwoman Rose, Council convened in closed session at approximately 8:25 p.m.

A copy of resolution [#16-10-17-288](#) is appended to the official minutes.

On the motion of Councilman Kurdyla, seconded by Councilman Norgalis, the meeting reconvened to open session at 8:31 p.m. and adjourned immediately thereafter.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Filipe Pedroso
Council President