

**MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL**  
**DECEMBER 19, 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 Monday, December 19, 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 (arrived 7:35pm)  
Howard Norgalis  
Christine Henderson Rose  
Vice President Allen Kurdyla (absent)  
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.

**Minutes for Approval**

On motion of Councilwoman Rose, second by Council President Pedroso, the December 1, 2016 Regular Session minutes were moved for approval and passed on the following roll call vote:

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

**Council Reports**

Councilwoman Rose:

- The history committee held its last meeting of the year. Moving forward, they will be a registered non-profit known as “Friends of Bridgewater History”.

Councilman Norgalis:

- Councilman Kurdyla underwent surgery this afternoon and although he was heavily sedated when they last spoke he was in good spirits and indicated that will he be out of commission for a few days

He noted he missed the Dec. 1st and Dec. 5th. meetings due to a death in the family so his report goes back to the end of November:

- Attended the League of Municipalities conference and participated in several developmental seminars.
- Attended the Bridgewater 2017 budget review sessions that Mr. Naples and Ms. Turchan held with the department heads.
- Attended the Centerbridge Holiday Party held at the Bridgewater Manor. He is a board member for Centerbridge I. Council President Pedroso also attended and he is a board member for Centerbridge II.
- Attended the Arbor Glen open house to see, first hand, the multimillion dollar improvements made to the 20 year old facility.
- Attended the Somerset County Governing Officials meeting where the 2017 officers were sworn in by Lieutenant Governor Guadagno.
- This being the last Council meeting of the year he thanked outgoing President Pedroso for his leadership and wished the 2017 President, Allen Kurdyla, all the best in the new year.

Councilman Moench:

- Nothing new to report.

Council President Pedroso:

- Attended the Centerbridge annual holiday party.
- Attended the somerset county governing officials dinner.

**Mayor's Report** No report

**Public  
Hearing**

**WILLIAM OESCHGER, 816 HAWTHORNE AVENUE, BLOCK 377 LOT 5**

Deputy Township Attorney Chris Corsini stated this is a hearing pursuant to section 105-9 of the Bridgewater Township Property Maintenance code with regard to outdoor storage & property maintenance. Exhibits have been provided to the Council with regard to this matter. The specific violated code is 105.3(d) which states "it will be unlawful for any owner, possessor or occupant of land to store, keep or accumulate upon such land any motorized vehicle, automobile or machine in need of repair so as not to be readily operated under their own power or require substantial repairs or not currently licensed. However, nothing herein shall be construed to limit storage or the repair of the vehicle which are kept in a closed place or garage"

Attorney Corsini confirmed as follows:

- Property owner William Oeschger failed to maintain the premises known as 814 Hawthorne Avenue, Block 377, Lot 15, in accordance with the Township Property Maintenance Code.
- The owner caused inoperable motor vehicles to remain on the premises in violation of Section 105.3(d) of the Code of the Township of Bridgewater.
- The conditions of the property constitute a nuisance, blight to the neighbors, and a violation of the Township Property Maintenance Code.
- After first and second notices, the property owner failed to comply and failed to remove the aforementioned motor vehicles to remedy the violation.
- Proper and sufficient notice was provided to the property owner and adjacent property owners.
- The amount certified by the Deputy Zoning Officer/Construction Code Official for compliance and removal in the sum of, not to exceed, \$740.00 is correct.

Property owner William Oeschger, 814 Hawthorne Ave in Bridgewater, NJ and his significant other, Carol Brown, 16 Malapardis Road in Morris Plains, NJ were present and fielded questions from the Council. They stated the vehicles are registered and it is Mr. Oeschger's hobby to fix cars. They added they did not receive proper notice and requested more time to remedy the situation.

Council President Pedroso opened the hearing the public for comment.

Caroline Pritchard, 266 Nagel Street in Bridgewater, NJ was present. She stated that this problem has been ongoing well before 2011. The neighbors have for years had to see old rusted vehicles that have not been touched and no one is working on getting them operable. She added Mr. Oeschger doesn't live on this property which is neglected and has piles of garbage.

Frank Higbie, 872 Sebring Avenue was present. He confirmed that this property has been an eyesore for many years.

On motion of Councilman Moench, second by Councilwoman Rose, Council President Pedroso closed the public portion of the hearing and opened it up to the Council for deliberation.

Council agreed that if the vehicles are not removed within the week, Steve Rodzinak, Construction Code Official and Zoning Official would have the authority to oversee and direct the remove of the violations per the following resolution:

**AUTHORIZING THE TOWNSHIP DEPUTY ZONING OFFICER/CONSTRUCTION CODE OFFICIAL TO OVERSEE AND DIRECT THE REMOVAL OF THE VIOLATIONS IN COMPLIANCE WITH CHAPTER 105-1 ET SEQ., OF THE BRIDGEWATER TOWNSHIP ORDINANCES AND AUTHORIZING THE REMEDIATION OF THE CONDITIONS ON THE**

PROPERTY OWNED BY WILLIAM OESCHGER AND KNOWN AS 816 HAWTHORNE AVENUE, BLOCK 377, LOT 5 AND FURTHER CERTIFYING THAT THE COSTS TO BE CHARGED AGAINST THE PREMISES AND BECOME A TAX LIEN IN THE SUM NOT TO EXCEED \$740.00 AND FURTHER AUTHORIZING THE DEPUTY ZONING OFFICER/CONSTRUCTION CODE OFFICIAL TO CAUSE THE FINAL AMOUNT CHARGED TO BECOME A LIEN UPON THE PREMISES AND FORM A PART OF THE TAXES NEXT TO BE ASSESSED AND LEVIED UPON THE PREMISES

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

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

**THE RESOLUTION WAS ADOPTED.**

A copy of resolution [#16-12-19-300](#) is appended to the official minutes.

**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.

Boy Scouts Adrian and Alex Noviello, 55 Totten Drive in Bridgewater were present for their Citizenship merit badge.

Frank Higbie, 872 Sebring Avenue was present and spoke about light pollution and how LED lights can help. He stated he called PSE&G a few years ago who advised he needed to speak to the governing body who would in turn present this proposal to them. Mr. Higbie had a brochure with this information which he handed to the Township Administrator Naples for follow-up.

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

**Public  
Hearing &  
Final Action  
Ordinances**

**AN ORDINANCE AMENDING SECTION 206-29.A, ENTITLED "SCHEDULE I: NO PARKING" BE AMENDED SO AS TO PROHIBIT PARKING FROM A POINT ON CHIMNEY ROCK ROAD, 1200 FEET NORTHERLY FROM THE INTERSECTION OF THE CENTER LINE OF CHIMNEY ROCK ROAD WITH THE CENTER LINE OF THOMPSON AVENUE, NORTHERLY TO WASHINGTON VALLEY ROAD**

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 Councilman Norgalis, the foregoing Ordinance was proposed. The vote was as follows:

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

**THE ORDINANCE WAS ADOPTED.**

A copy of resolution [#16-12-19-301](#) is appended to the official minutes

**Resolutions**

**AUTHORIZATION TO EXECUTE COLLECTIVE BARGAINING AGREEMENT BETWEEN TOWNSHIP OF BRIDGEWATER AND BRIDGEWATER TOWNSHIP P.B.A. LOCAL NO. 174**

Township Administrator Naples stated he has provided his executive summary as well as the memorandum of understanding which has been ratified by the PBA. A redlined copy of the contract which outlines the changes has also been provided.

On motion of Councilwoman Rose, 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	Absent
Council President Pedroso	Aye

**THE RESOLUTION WAS ADOPTED.**

A copy of resolution [#16-12-19-302](#) 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) SAFE AND SECURE COMMUNITIES PROGRAM GRANT-\$60,000.00**

Township Administrator Naples stated grant funds have been received and this resolution will allow same to be inserted into our budget.

On motion of Councilman Norgalis, 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	Absent
Council President Pedroso	Aye

**THE RESOLUTION WAS ADOPTED.**

A copy of resolution [#16-12-19-303](#) is appended to the official minutes.

**AUTHORIZATION TO ADJUST 2016 SEWER CHARGE AND INTEREST FOR BLOCK-581, LOT- 4.01 - 1277 ROUTE 22 WEST, BRIDGEWATER, NJ 08807 IN THE AMOUNT OF \$ 17,955.00 DUE TO SEWER NON-CONNECTION**

Township Administrator Naples stated this is for the Hampton Inn, currently under construction. When they started in 2015, they paid a connection fee and were inadvertently charged the connection although not yet connected. This resolution allows Darrow Murdock, Tax Collector to adjust the sewer charge.

On motion of Councilwoman Rose, 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	Absent
Council President Pedroso	Aye

**THE RESOLUTION WAS ADOPTED.**

A copy of resolution [#16-12-19-304](#) is appended to the official minutes

**AUTHORIZING CHANGE ORDER NO. 2/FINAL CHANGE ORDER DECREASING THE PRICE FROM \$423,111.85 TO \$418,458.98, WHICH IS A DECREASE OF \$4,652.87, AND FINAL PAYMENT TO BLACK ROCK ENTERPRISES, LLC, AND AUTHORIZING ACCEPTANCE OF THE PROJECT AND RELEASE OF PERFORMANCE BOND AND ACCEPTANCE OF MAINTENANCE BOND FOR THE VAN HOLTEN ROAD IMPROVEMENT PROJECT, SECTION III (SCHOOL DRIVEWAY TO FOXCROFT ROAD). OVERALL INCREASE OF PRICE FOR THIS PROJECT CONTRACT IS FROM \$384,686.85 TO \$418,458.98 WHICH IS AN 8.78% INCREASE IN THE AMOUNT OF \$33,772.13 (FUNDED THROUGH THE 2014 CAPITAL PROJECT FUND)**

On motion of Councilman Norgalis, 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	Absent
Council President Pedroso	Aye

**THE RESOLUTION WAS ADOPTED.**

A copy of resolution [#16-12-19-305](#) is appended to the official minutes

**AUTHORIZING CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT INCREASING THE CONTRACT PRICE BY THE SUM OF \$20,800.00 FOR THE MOUNTAIN TOP ROAD IMPROVEMENT PROJECT (MINE ROAD TO CRIM ROAD) WITH Z BROTHERS CONCRETE CONTRACTORS, INC. FROM THE PRICE OF \$311,375.75 TO \$332,175.75**

On motion of Councilwoman Rose, 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	Absent
Council President Pedroso	Aye

**THE RESOLUTION WAS ADOPTED.**

A copy of resolution [#16-12-19-306](#) is appended to the official minutes

**AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE, IN THE AMOUNT OF \$2,952,630.59, FROM CHIMNEY ROCK CROSSING EAST, LLC (STAVOLA) BLOCK 730, LOT 1.01- ROUTE 22 WEST, BRIDGEWATER, NJ**

On motion of Councilwoman Rose, 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	Absent
Council President Pedroso	Aye

**THE RESOLUTION WAS ADOPTED.**

A copy of resolution [#16-12-19-307](#) is appended to the official minutes

**AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE, IN THE AMOUNT OF \$3,209,881.76, FROM CHIMNEY ROCK CROSSING WEST, LLC (STAVOLA) BLOCK 711, LOT 6.01 - ROUTE 22 WEST, BRIDGEWATER, NJ**

On motion of Councilwoman Rose, 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	Absent
Council President Pedroso	Aye

**THE RESOLUTION WAS ADOPTED.**

A copy of resolution [#16-12-19-308](#) is appended to the official minutes

**APPOINTING KARL MCALEER INTERIM FIRE PREVENTION OFFICIAL FOR AN ADDITIONAL 90 DAY TERM UNTIL FEBRUARY 13, 2017**

Township administrator Naples stated an additional 90-days is requested until this matter can be resolved. Extension of this type of appointment can only be done in 90-day increments.

On motion of Councilwoman Rose, 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	Absent
Council President Pedroso	Aye

**THE RESOLUTION WAS ADOPTED.**

A copy of resolution [#16-12-19-309](#) 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.

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 8:32 p.m.

A copy of resolution [#16-12-19-310](#) is appended to the official minutes.

On the motion of Councilman Norgalis, seconded by Councilwoman Rose the meeting reconvened to open session at 8:37 p.m. and adjourned immediately thereafter.

Respectfully Submitted,

Linda J. Doyle, RMC  
Municipal Clerk

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Filipe Pedroso  
Council President