

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
JUNE 1, 2017 COUNCIL CHAMBERS

The Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, convened in a regular session on Thursday, June 1, 2017 at 7:30 p.m. in Council Chambers in the Municipal Complex, Bridgewater, New Jersey 08807.

Council President Kurdyla 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 9, 2017 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
Filipe Pedroso
Council Vice President Christine Henderson Rose (absent)
Council President Allen Kurdyla

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

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

Minutes

MAY 18, 2017 CLOSED SESSION

The closed session minutes were passed around for approval.

MAY 18, 2017 - REGULAR SESSION

On motion of Councilman Moench, seconded by Councilman Norgalis, the May 18th regular session minutes were moved for approval and passed unanimously on a voice call vote.

Council Reports

Councilman Moench

- Attended the WAWA ribbon cutting; a great event. They are still giving away free coffee until 6/6/2017
- Advised that Tuesday, June 6th is Election Day and wished all the candidates success

- Saturday June 10th is Flag Day and there will be a ceremony at the Somerset County Courthouse. Swearing-in of some naturalized citizens is scheduled to take place at this event
- The Somerset County Governing Officials meeting is scheduled for June 13th and the president of the Raritan Valley Community College will be the guest speaker.

Councilman Norgalis:

- Councilman Norgalis stated at the last Council meeting he reported on the Valor Award for Bridgewater police officers John Cooper and Adam Augliera. The following is an excerpt from the wording used at the Somerset County 200 Club Award Ceremony on May 17th
 - *On Thursday, March 10, 2016, in the township of Bridgewater, Officers John Cooper and Adam Augliera were dispatched to the area of Washington valley Road to investigate a masked male walking in the roadway carrying a bat and a machete, swinging at passing vehicles. The male suspect refused to follow Officers verbal command to get on the ground. Officer Cooper sprayed the suspect which incapacitated him briefly enough for Officer Augliera to tackle him.*
- The Township lost an icon on May 5th when Frank Dittman passed away. Frank and his late wife Audrey were pillars of our community with Audrey heading the Board of Education and Frank as a long term Councilman and Mayor. He attended his viewing and spoke at length with his daughter Evelyn who spoke lovingly of growing up in Bridgewater with her three siblings
- Attended the WAWA ribbon cutting at their new 24/7 food and fuel on Route 28 in Finderne. The high point was a three minute timed hoagie making contest between the Bridgewater police, Finderne Fire and Finderne Rescue Squad. The police team headed by Sgt. Tom Rice ably assisted by Officers Kurt Bernhard, Bob Reilly, and a fourth unnamed officer prevailed
- Attended the monthly Somerset County Employer Legislative Committees (ELC) luncheon where the guest speaker was Democratic Governor candidate Phil Murphy
- Attended the Somerset County 23rd Annual "Curbing Hunger" event at the Food Bank on Easy Street in Bridgewater. The speaker was Freeholder Palmer talking about the needs of the financially disadvantaged

- Attended the 25th Silver Anniversary Millicent Fenwick dinner in honor of Carolann Garafola from Warren.

Councilman Pedroso

- Attended the Eric Peterson’s cocktail reception
- His daughter celebrated her 14th birthday on Memorial Day. The family took time to remember all the men and women who have died in service to our Country.

Council President Kurdyla:

- It was his privilege to speak, on Memorial Day, at the Martinsville VFW
- Attended the viewing for Ex-Mayor Frank Dittman, a very important cog in the wheel of Bridgewater Township who he will be missed.

Mayor’s Reports

Township Administrator Naples had nothing new to report.

DISCUSSION

PAT MARAGO, ESQ. FOR GREEN KNOLL GRILLE

Attorney Pasquale Marago was present on behalf of Green Knoll Grille (GKG). He expressed GKG requests permission to play live, outdoor music during lunch hours, daily and throughout the year. He stated GKG has received many requests for light entertainment during the lunch hours and during special events such as bridal and baby showers.

Council requested that Attorney Marago put his request in writing for Council’s review and consideration.

CORRESPONDENCE RECEIVED ON FOREST VIEW DRIVE

Jeffrey Foose, 6 Forest View Drive was present. He had written a letter to the Council in which he details his concerns. He lives on Forest View Drive, a street that was subject to an approval for road cut access for water and sewer service connections. Mr. Foose’s concern is that the neighbors were not notified of this request for access. Written notice would have allowed the affected residents an opportunity to give testimony and opinions on the proposal.

There was discussion whether our Ordinances should be amended to allow providing notice to neighboring property owners during applications for access. Some members of the Council opined these types of applications do not merit the requirement for notice. Mr. Foose was assured it is a requirement that the condition of his road will be returned to its former condition or better as applications for access are inspected by the Engineering Department.

Council was in consensus that Township Administrator Naples and Township Planner Doyle should discuss this further and offer Council their professional

input moving forward.

**Public
Comment**

On motion of Councilman Norgalis, 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.

No one wished to be heard.

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

**Introduction
of
Ordinances**

AN ORDINANCE TO MANDATE DIRECT DEPOSIT FOR MUNICIPAL EMPLOYEES OF THE TOWNSHIP OF BRIDGEWATER EFFECTIVE AUGUST 1, 2017 PURSUANT TO N.J.S.A. 52:14-15f

The State statute above allows the Township, by Ordinance, to mandate direct deposit for all employees. It is a cost saving as we will no longer require the Township to print manual checks. Administration's plan is to have an information session with the employees and invite some local banks in order to make this process seamless for the few employees who do not have bank accounts and currently do not utilize direct deposit.

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

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

THE ORDINANCE WAS INTRODUCED.

A copy of resolution [#017-06-01-153](#) is appended to the official minutes

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

BE IT FURTHER RESOLVED, that the said pending ordinance be passed on first reading and advertised as required by statute fixing the 19th day of June, 2017, 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.

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.

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$6,220,000 FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF BRIDGEWATER, IN THE COUNTY OF SOMERSET, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$5,909,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION

Township Administrator Naples stated administration looks forward to putting these monies to use for capital road improvements.

Item #2 of this Ordinance was revised as follows:

Road ~~Overlay~~ Sealing including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file in the Office of Engineering.

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 |
| Councilman Pedroso | Aye |
| Council Vice-President Rose | Absent |
| Council President Kurdyla | Aye |

[THE ORDINANCE WAS INTRODUCED.](#)

A copy of resolution **[#017-06-01-154](#)** is appended to the official minutes

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

BE IT FURTHER RESOLVED, that the said pending ordinance be passed on first reading and advertised as required by statute fixing the 19th day of June, 2017, 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.

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.

FURTHER RESOLVED, that the Director of Finance will forward the Supplemental Debt Statement received this date electronically to the Division of Local Government Services in the Department of Community Affairs, Trenton, New Jersey.

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$380,000 FOR ACQUISITION OF VARIOUS PUBLIC WORKS EQUIPMENT AND OTHER IMPROVEMENTS, INCLUDING DUMP TRUCK WITH SNOW PLOW, HOTBOX, NORTH BRIDGE PARK LIGHTS, PLAYGROUND EQUIPMENT AND PICK-UP TRUCK WITH UTILITY BODY AND SNOW PLOW, IN AND BY THE TOWNSHIP OF BRIDGEWATER, IN THE COUNTY OF SOMERSET, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$361,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION

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

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

[THE ORDINANCE WAS INTRODUCED.](#)

A copy of resolution **[#017-06-01-155](#)** is appended to the official minutes

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

BE IT FURTHER RESOLVED, that the said pending ordinance be passed on first reading and advertised as required by statute fixing the 19th day of June, 2017, 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.

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.

FURTHER RESOLVED, that the Director of Finance will forward the Supplemental Debt Statement received this date electronically to the Division of

Local Government Services in the Department of Community Affairs, Trenton, New Jersey

Resolutions

AUTHORIZATION TO EXECUTE THE GRANT AGREEMENT BETWEEN BRIDGEWATER TOWNSHIP AND NEW JERSEY AMERICAN WATER - GRANT IDENTIFIED - 2017 ENVIRONMENTAL GRANT PROGRAM IN THE AMOUNT OF \$6500.00

It was confirmed that the native bees will be placed in the meadow area at Hillside Intermediate School. These bees are different from honey bees as they tend to be solitary, rarely sting and do not produce honey. Councilman Pedroso stated if the location at the Hillside School is not approved by the Board of Education, this resolution will be returned to this body for further consideration.

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

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

THE RESOLUTION WAS ADOPTED.

Copies of resolution [#17-06-01-156](#) are appended to the official minutes

ACCEPTING MAINTENANCE OF A PROPOSED REGIONAL DETENTION BASIN ADJACENT TO FOOTHILL ROAD AT 528 FOOTHILL ROAD ON PROPOSED BLOCK 718 LOT 160.01 AS SHOWN ON THE PRELIMINARY PLAT FOR THE APPROVED SUBDIVISION IN ACCORDANCE WITH THE RECOMMENDATION OF THE TOWNSHIP OF BRIDGEWATER PLANNING BOARD

Township Administrator Naples stated David Battaglia, Director of Municipal Services & Township Engineer has provided a memo detailing the genesis of this project as follows. Karen Larosa was present to discuss same:

On January 8, 2008 the Bridgewater Township Planning Board approved a 4 lot subdivision. During application testimony existing drainage issues on Foothill Road came to light and the applicant agreed to modify the required detention basin to mitigate the Township's issue. The meeting minutes state:

"Township Engineer Bogart advised the public that the applicant is not required to cure a pre-existing problem like drainage. He stated that the

applicant in this case has gone above and beyond the call of duty being that he is trying to mitigate some of the existing water problems. "

Based on the testimony, the approving resolution states within Finding #4:

"...The Board finds that, in this particular instance, because of the regional benefits provided by the proposed stormwater management facility, as recommended by the Township Engineer and the Township Planner, the Board recommends that the Township Council accept a dedication of the detention basin for ownership and maintenance by the Township of Bridgewater."

The approved plans delineate an easement area for dedication to the Township. It is easily accessible directly adjacent to Foothill Road in the front yard of what is now 528 Foothill Road.

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 |
| Councilman Pedroso | Aye |
| Council Vice-President Rose | Absent |
| Council President Kurdyla | Aye |

THE RESOLUTION WAS ADOPTED.

Copies of resolution [#17-06-01-168](#) are appended to the official minutes

Council President Kurdyla read the following resolutions by title and called for a consent vote:

AWARD OF CONTRACT TO UNIVERSAL UNIFORM SALES COMPANY INC. OF NEWARK, NEW JERSEY FOR THE PURCHASE OF POLICE UNIFORMS, SHOES, LEATHER GEAR AND HONOR GUARD DRESS UNIFORMS AMOUNT OF \$86,776.95

REJECTING ALL BIDS FOR POLICE BALLISTIC VEST & OUTER VEST CARRIERS PURSUANT TO N.J.S.A.40A:11-13 (E)

AUTHORIZING AN AWARD OF CONTRACT TO APPRAISAL SYSTEMS, INC. TO PERFORM PROFESSIONAL APPRAISAL INSPECTIONS AND RELATED SERVICES IN CONNECTION WITH THE TOWNSHIP REASSESSMENT PROGRAM FOR 2017 IN AN AMOUNT NOT TO EXCEED \$59,400.00

A RESOLUTION TO AUTHORIZE THE ESTABLISHMENT OF A "DEDICATION BY RIDER" TO THE BUDGET OF THE TOWNSHIP OF BRIDGEWATER FOR MOBILE

VIDEO RECORDING SYSTEMS FOR POLICE VEHICLES PURSUANT TO N.J.S.A. 39:4-50(i)

CANCELATION OF TAX OVERPAYMENTS FOR 2005, 2006, 2007, 2007, 2008, 2009 AND 2013 TAX YEARS IN THE TOTAL AMOUNT OF \$159,443.31

CANCELLING OPEN SEWER ASSESSMENT RECEIVABLE FOR SEWER CONNECTION ASSESSMENT ON VARIOUS PROPERTIES BETWEEN 1976 AND 1980

CANCELLING OPEN LOCAL ASSESSMENT RECEIVABLE IN THE AMOUNT OF \$82,989.48 AND OVERPAYMENTS IN THE AMOUNT OF \$1,000.00

AUTHORIZING AWARD OF CONTRACT PROFESSIONAL LEGAL SERVICES: CHIEF MUNICIPAL PROSECUTOR IN AN AMOUNT NOT TO EXCEED \$80,000

AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS IN CONNECTION WITH THE SOMERSET COUNTY IMPROVEMENT AUTHORITY'S SOMERSET MUNICIPAL BANC PROGRAM

AUTHORIZING EXECUTION OF AN INTERLOCAL SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF BRIDGEWATER AND THE BOROUGH OF BOUND BROOK FOR THE PROVISION OF SEWER SERVICE TO THE BOROUGH OF BOUND BROOK AND PAYMENT FOR THE SERVICES

AUTHORIZING CHANGE OF SCOPE TO THE PROFESSIONAL SERVICES CONTRACT INCREASING THE CONTRACT PRICE BY THE SUM OF \$2,020.00 FOR ADDITIONAL CONSTRUCTION STAKEOUT SERVICES FOR THE MOUNTAIN TOP ROAD IMPROVEMENT PROJECT (MINE ROAD TO CRIM ROAD) CONTRACT PRICE WITH THE REYNOLDS GROUP, INC. FROM THE PRICE OF \$62,600.00 TO \$64,620.00 FUNDED THROUGH THE 2016 CAPITAL FUND

AUTHORIZATION FOR FIREWORK DISPLAYS AT SOMERSET PATRIOTS STADIUM ON WEDNESDAY, AUGUST 9 (RAIN DATE 8-16), THURSDAY, AUGUST 17 (RAIN DATE 8-30), FRIDAY, AUGUST 25 (RAIN DATE 8-26) THURSDAY, AUGUST 31 (RAIN DATE 9-8) SATURDAY, SEPTEMBER 9 (RAIN DATE 9-13) AND THURSDAY, SEPTEMBER 14 (RAIN DATE 8-15)

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

| | |
|---------------------|-----|
| Councilman Moench | Aye |
| Councilman Norgalis | Aye |
| Councilman Pedroso | Aye |

Council Vice-President Rose
Council President Kurdyla

Absent
Aye

THE RESOLUTIONS WERE ADOPTED.

Copies of resolution [#17-06-01-157 thru #17-06-01-167 and #17-06-01-169](#) are appended to the official minutes

**Consent
Agenda
Liquor
License
Resolutions**

Council President Kurdyla read the following resolutions by title and called for a consent vote:

2017-2018 RENEWAL OF TOWNSHIP OF BRIDGEWATER PLENARY RETAIL CONSUMPTION LIQUOR LICENSES

2017-2018 RENEWAL OF PLENARY RETAIL DISTRIBUTION LIQUOR LICENSES ELLIOTT HOME BEVERAGES, INC. SQUIRES CORNER LIQUORS, INC. WEGMANS FOOD MARKETS, INC. AND RAMARAM, INC., AKA BUY BEST WINE & LIQUORS

2017-2018 RENEWAL OF THE TOWNSHIP OF BRIDGEWATER CLUB LIQUOR LICENSES

RENEWAL OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE HOTEL/MOTEL EXCEPTION 2017-2018 FOR HYATT SUMMERFIELD SUITES HOTEL, HILTON GARDENS INN

2017-2018 RENEWAL OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE CAFÉ EMILIA, INC. WITH CONDITION

2017-2018 RENEWAL OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE BROAD PACKAGE PRIVILEGE LA CATENA-22

2017-2018 RENEWAL OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE HOTEL/MOTEL EXCEPTION MARRIOTT HOTEL SERVICES, INC.

RENEWAL OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE #1806-33-017-005 STAVOLA LIQUOR LICENSE OF BRIDGEWATER, POCKET LICENSE

PERSON TO PERSON PLENARY RETAIL CONSUMPTION LIQUOR LICENSE TRANSFER FROM STAVOLA BRIDGEWATER LIQUOR LICENSE, LLC NUMBER 1806-33-017-005 TO CHIMNEY ROCK, LQR, LLC NEW LICENSE NUMBER 1806-33-017-006

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

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

THE RESOLUTIONS WERE ADOPTED.

Copies of resolution [#17-06-01-170 thru #17-06-01-178](#) are 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 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 Councilman Kurdyla, Council convened in closed session at approximately 9:05 p.m.

A copy of resolution [#17-06-01-179](#) is appended to the official minutes.

On the motion of Councilman Moench, seconded by Councilman Norgalis, the meeting reconvened to open session at approximately 9:08 p.m. and adjourned immediately thereafter

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Allen Kurdyla
Council President