

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
NOVEMBER 9, 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, November 9, 2017 at 7:30 p.m. in Council Chambers in the Municipal Complex, Bridgewater, New Jersey 08807.

Council President Kurdyla:

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
Council President Allen Kurdyla

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

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

Minutes

OCTOBER 12, 2017 - AGENDA SESSION
OCTOBER 16, 2017 - REGULAR SESSION

On motion of Councilman Norgalis, seconded by Councilman Moench, the October 12th agenda session minutes and October 16th regular session minutes were moved for approval and passed unanimously on a voice call vote.

Council Reports

Councilman Moench:

- Congratulated Councilman Norgalis, Councilman Pedroso & Council President Kurdyla on a successful election on Tuesday. He expressed it is a pleasure to work with them.
- Councilman Moench has sent a letter to Mayor Hayes requesting that the governing body be provided information regarding the Township's debt before budget discussions commence in the Spring.

- He asked whether the budget hearings typically scheduled in the afternoons can be rescheduled to the evening hours to allow the public and members of the Council who would otherwise be working to attend. Township Administrator Naples was uncertain about the possibility that department heads can be available during off-hours to make their budget presentations.
- He reminded everyone of Veterans' Day Events coming up this weekend.
- Shared that a friend's brother was killed in a car accident by a drunk driver and cautioned everyone to be careful so that incidents such as this do not happen in Bridgewater.

Councilman Norgalis:

- Attended along with Councilwoman Rose the Sanofi annual award ceremony for non-profit organizations doing philanthropic work.
- Attended the Somerset County Business Partnership third annual Workplace Health and Wellness Exposition. Over 300 people attended, up from under a 100 the first year. Healthier Somerset and the Franklin Township Chamber of Commerce also collaborated in the event which was held at the Imperia in Somerset.
- Attended the Far Hills Racing event benefiting the RWJ Somerset Hospital Cancer Center.
- Attended the November ELC meeting where the featured speaker was Tom Bracken, President and CEO of the New Jersey Chamber of Commerce and co-chairman of Opportunity NJ.
- Attended the DIWALI Indian Cultural celebration held at the Senior Center.
- Attended the township candy give away on Halloween eve dressed as Sherlock Holmes.
- Attended the 200 Club of Somerset County Annual Meeting. They announced a \$10,000 donation to the family of the Union County police officer killed in an auto accident on Route 78.
- Congratulated running mates, Allen Kurdyla and Filipe Pedroso on being re-elected to serve on this Council for another four year term.
- Attended the Somerset County Planning Board quarterly Planning Partners Forum. Presenters included: Walter Lane, Planning Director, Tom

D'Amico, Planning Supervisor, and Planners Tara Kenyon and Tom Boccino.

- Future Events: Councilman Norgalis will attend the following:
 - The Veteran's Day celebration on Nov. 11th at the Bradley Gardens VFW.
 - The League of Municipalities Conference next week.
 - Township's Budget hearing on the 20th.
 - The Township Fair Share hearing before Judge Miller on Dec. 7th to hopefully finalize our COAH plan and the granting of Builder's Remedy protection for years to come.

Councilman Pedroso

- Attended the DIWALI Festival at the Senior Center which was very enjoyable
- Attended a Centerbridge meeting last week
- Attended the Creative Arts Committee "Talent in the Town" event last week. It was very successful and gets better every time
- Attended the Halloween Trick or Treat event hosted by the Township
- Congratulated running mates, Allen Kurdyla and Howard Norgalis on being re-elected to serve another four years.

Council Vice President Rose

- Attended along with Councilman Norgalis the Sanofi annual award ceremony for non-profit organizations doing philanthropic work
- Has been very busy screening potential candidates for the animal shelter board which currently has a vacancy.

Council President Kurdyla

- Attended the Halloween Festival hosted by the Township.
- Has put in a few calls to administration voicing various resident concerns.
- Intends on attending the budget meeting coming up next week
- Enjoyed campaigning with Councilman Norgalis and Councilman Pedroso and congratulated them for their work during the campaign. He appreciated the residents of Bridgewater who voted to support them.

Mayor's Reports

Township Administrator Naples acknowledged Councilman Moench's letter requesting a report on Township debt and looks forward to this discussion. He also reminded everyone we have two (2) Veteran's Day celebrations on November 11th as follows:

- American Legion Post #327 - 77 Old York Road in Bridgewater at 11AM.
- Martinsville VFW Post #6588 - Chimney Rock Park in Martinsville at 11AM

**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 Councilwoman Rose, the public comment portion was closed.

**Introduction
of
Ordinances**

AN ORDINANCE OF THE TOWNSHIP OF BRIDGEWATER AUTHORIZING THE ACCEPTANCE OF LAND IDENTIFIED AS BLOCK 411, LOT 39.08, FORMERLY A PORTION OF BLOCK 411, LOT 39.07, FRONTING ON COMMONS WAY AND BEING A PORTION OF THE SOMERSET CORPORATE CENTER

Briad Development, LLC and LTF Real Estate Company, contract Purchaser from Somerset Corporate Center Associates obtained Preliminary & Final Major Site Plan & Minor Subdivision from the Bridgewater Township Planning Board for a portion of the Somerset Corporate Center. The Bridgewater Regional Corporate Center Zone requires that 20% of the land approved by the Planning Board be reserved for open space for active recreation purposes with 25% of that 20% going to support active recreation. The donation of the above described Property enables Briad Development LLC and LTF Real Estate Company to comply with the open space requirements of the Ordinance.

Township Administrator Naples stated a concern has been raised. We usually place sponsorship signage in order to offset some of the cost of maintaining the fields. In this case however, in order to maintain the visual integrity of this property that is one of the more beautifully landscaped corporate properties in NJ, it has been requested that we do not place signage on the fence that is adjacent to the road along Commons Way. Signage will be limited to the interior fences on the ball fields. All were in agreement.

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

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

THE ORDINANCE WAS INTRODUCED.

A copy of resolution [#17-11-09-297](#) 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 4th day of December, 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; 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.

ORDINANCE OF THE TOWNSHIP OF BRIDGEWATER AMENDING CHAPTER 62, BUILDING CONSTRUCTION, ARTICLE II, DEVELOPMENT FEES

Township Attorney Savo explained the Township has entered into a settlement agreement with the Fair Housing Center on our Affordable housing obligation. The standing master appointed by the Court has requested that our development fee ordinance be amended and made current. This Ordinance is consistent with the model Ordinance prepared by COAH. These are fees assessed on residential and non residential projects based on the equalized assessed value for new projects.

On motion of Councilwoman Rose, 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	Aye
Council President Kurdyla	Aye

THE ORDINANCE WAS INTRODUCED.

A copy of resolution [#17-11-09-298](#) 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 4th day of December,

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; 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

AUTHORIZING BUDGET TRANSFERS FOR FISCAL YEAR 2017 APPROPRIATIONS IN THE AMOUNT OF \$89,082.87 IN THE CURRENT FUND

Township Administrator Naples explained this transfer will allow us to move funds to areas where funds are limited and we need to make payment.

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

THE RESOLUTION WAS ADOPTED.

Copies of resolutions [#17-11-09-299](#) is appended to the official minutes

AUTHORIZATION TO CANCEL CURRENT APPROPRIATIONS OF THE CURRENT FUNDING THE AMOUNT OF \$68, 296.00

Township Administrator Naples explained this is related to the Library Commission's decision to use an outside vendor to provide custodial services. Being that the Township no longer provides these services, this resolution will allow us to cancel current appropriations.

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

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

THE RESOLUTION WAS ADOPTED.

Copies of resolutions [#17-11-09-300](#) is appended to the official minutes

CANCELLATION OF CAPITAL BOND ORDINANCES IN THE AMOUNT OF \$601,674.26

Township Administrator Naples explained that certain General Capital Improvement appropriation balances remain dedicated to projects now completed. This resolution will allow us to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Surplus, and unused debt authorization may be cancelled.

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

THE RESOLUTION WAS ADOPTED.

Copies of resolutions [#17-11-09-301](#) is appended to the official minutes

PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2017 BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) - NJ BODY ARMOR REPLACEMENT FUND \$6,686.57

On motion of Councilman Moench, 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	Aye
Council President Kurdyla	Aye

THE RESOLUTION WAS ADOPTED.

Copies of resolutions [#17-11-09-302](#) is appended to the official minutes

PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2017 BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) - 2017

BULLETPROOF VEST PARTNERSHIP GRANT \$8,769.02

On motion of Councilman Moench, 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	Aye
Council President Kurdyla	Aye

THE RESOLUTION WAS ADOPTED.

Copies of resolutions [#17-11-09-303](#) is appended to the official minutes

AUTHORIZATION TO WAIVE INTEREST AND FEES ASSOCIATED WITH PEAPACK - GLADSTONE LOCKBOX BATCH 513 RECEIVED WITHIN THE TAX GRACE PERIOD, BUT DELIVERED ON SEPTEMBER 25, 2017

Township Administrator Naples explained there was a resolution to extend the tax grace period to August 31, 2017. Peapack-Gladstone bank received Bridgewater tax payments within the extended grace period of August 31, 2017. However, the payment file was delayed and delivered to Bridgewater Township on September 25, 2017, thus causing resident’s properties to be delinquent and incur interest and fees. This resolution will allow the interest and fees associated with Batch 513 to be waived due to the delayed delivery time.

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

THE RESOLUTION WAS ADOPTED.

Copies of resolutions [#17-11-09-304](#) is appended to the official minutes

APPOINTMENT TO THE CREATIVE ARTS COMMITTEE ERIN ELIZABETH ROSE

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	Aye
Council President Kurdyla	Aye

THE RESOLUTION WAS ADOPTED.

Copies of resolutions [#17-11-09-305](#) is appended to the official minutes

APPOINTING PATRICIA PADOVANI AS ADMINISTRATIVE AGENT TO ENFORCE THE AFFORDABILITY CONTROLS FOR AFFORDABLE HOUSING

Township Administrator Naples stated this is another of those COAH requirements we must fulfill for our settlement agreement.

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

THE RESOLUTION WAS ADOPTED.

Copies of resolutions [#17-11-09-306](#) is appended to the official minutes

AWARD OF A EMERGENCY PUMP SYSTEM FROM REINER PUMP SYSTEMS FOR GILBRIDE PUMP STATION IN THE AMOUNT OF \$43,600.00

Township Administrator Naples explained about nine years ago, there was a capital project to replace all three (3) pumps at the Gilbride pump station. These pumps go through a lot of wear and tear and it is now imperative that we replace one of the pumps that is currently down.

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

THE RESOLUTION WAS ADOPTED.

Copies of resolutions [#17-11-09-307](#) is appended to the official minutes

AUTHORIZING CHANGE OF SCOPE TO THE PROFESSIONAL SERVICES CONTRACT INCREASING THE CONTRACT PRICE BY THE SUM OF \$12,725.00 FOR ADDITIONAL DETAIL DESIGN SERVICES FOR ADDITIONAL DRAINAGE AND STORMWATER DETENTION SYSTEM FOR THE HILLCREST ROAD IMPROVEMENT PROJECT, SECTION III (A POINT 200 FEET WESTERLY OF AMUR ROAD EASTERLY TO TOWNSHIP BORDER) CONTRACT PRICE WITH KELLER & KIRKPATRICK, INC. FROM THE PRICE OF \$64,700.00 TO \$77,425.00 FUNDED FROM THE 2015 CAPITAL IMPROVEMENT FUND

Township Administrator Naples stated this will complete the improvement on Hillcrest 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	Aye
Council President Kurdyla	Aye

THE RESOLUTION WAS ADOPTED.

Copies of resolutions [#17-11-09-308](#) is appended to the official minutes

AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE, IN THE AMOUNT OF \$1,244,637.78, LIBERTY MUTUAL SURETY NO. 012021342 IN THE AMOUNT OF \$1,131,489.78 AND CASH IN THE AMOUNT OF \$113,148.98, ACCEPTANCE OF THE SITE IMPROVEMENTS AND ACCEPTANCE OF THE MAINTENANCE BOND IN THE AMOUNT OF \$141,436.22 FOR CVS - FIRST HARTFORD REALTY, BLOCK 252, LOT 1, 440 UNION AVENUE, BRIDGEWATER, NJ

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

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

THE RESOLUTION WAS ADOPTED.

Copies of resolutions [#17-11-09-309](#) is appended to the official minutes

AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE IN THE AMOUNT OF \$1,402,012.20, ACCEPTANCE OF THE SITE IMPROVEMENTS AND ACCEPTANCE OF THE MAINTENANCE GUARANTEE IN THE AMOUNT OF \$140,201.22 SURETY MAINTENANCE BOND FOR FSG HAMPTON INN & SUITES, BLOCK 581, LOT 4.01, ALSO KNOWN AS 1277 ROUTE 22 WEST

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

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

THE RESOLUTION WAS ADOPTED.

Copies of resolutions [#17-11-09-310](#) is appended to the official minutes

PERSON TO PERSON PLENARY RETAIL CONSUMPTION LIQUOR LICENSE TRANSFER FROM LA CATENA-22, INC. LOCATED AT 966 ROUTE 22 EAST, PLENARY LICENSE #1806-32-003-005 TO SOLO BRIDGEWATER, LLC NEW LICENSE #1806-32-003-006

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

THE RESOLUTION WAS ADOPTED.

Copies of resolutions [#17-11-09-311](#) is appended to the official minutes

BE IT RESOLVED, by the Bridgewater Township Council that this body will now hold a closed meeting to discuss real estate negotiations.

When and if the matters discussed become public record, this will be made known to the public at that time.

**Closed
Session**

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 Councilwoman Rose, seconded by Councilman Norgalis, Council convened in closed session at approximately 8:15 p.m.

A copy of resolution [#17-11-09-312](#) is appended to the official minutes.

On the motion of Councilman Norgalis, seconded by Councilwoman Rose, the meeting reconvened to open session at approximately 8:20 p.m. and adjourned immediately thereafter

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Allen Kurdyla
Council President