

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
JANUARY 18, 2018 COUNCIL CHAMBERS

The Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, convened in a regular session on Thursday, January 18, 2018 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, 2018 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:

Allen Kurdyla
Howard Norgalis
Filipe Pedroso (absent)
Council Vice President Matthew C. Moench
Council President Christine Henderson Rose

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

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

Minutes

DECEMBER 18, 2018 - REGULAR SESSION

DECEMBER 18, 2018 - CLOSED SESSION

JANUARY 8, 2018 - REORGANIZATIONAL MEETING

On motion of Councilman Kurdyla, seconded by Councilman Moench, the December 18, 2017 regular session minutes and January 8, 2018 reorganization minutes were moved for approval and passed unanimously on a voice call vote. The December 18, 2018 closed session minutes were passed around for approval.

Council Reports

Councilman Kurdyla:

- Met with Mayor Hayes, Charles Isley and Adele Barree regarding the proposed resolution objecting to the New Jersey Department of Agriculture's proposed bee keeping regulations. He stated his intent is to

support this resolution which is listed on tonight's agenda

Council Vice President Moench

- He has arranged for the Rutgers division of Addiction & Psychiatry to come to Bridgewater and conduct a 2-hour Narcan training/presentation. They provide information about drug overdoses and the initial rescue process. They also give out free kits. A meeting has been scheduled for Tuesday, January 23rd at Centerbridge II at 7PM. This is a free event but seats are limited. Residents are encouraged to RSVP at healthybridgewater@gmail.com
- Reached out to Debra Albanese, chair of the Library Commission being he is the liaison for this committee in 2018. Their next meeting is February 6th. He will be providing periodic updates on the Library committee moving forward.
- There was a resident complaint that was sent via email about snow plowing on Meadow Road. It was noted the resident has since been contacted and the issue has been resolved.

Councilman Norgalis

- In the County Freeholder Board reorganization, Bridgewater resident Patrick Scaglione was chosen the Director for 2018.
- Attended the Planning Board reorganization meeting. Ron Charles was reelected to the Chairmanship and Scarlett Doyle as Secretary. Tom Collins continues as Legal Council. The next big project expected to come before the Planning Board is the Advance Realty site plan for the Route 202/206 former Sanofi location.
- The Annual Reorganization Meeting of the Somerset County Planning Board originally scheduled for January 16th was cancelled due to the storm treat. No new date as of this time.
- Councilman Norgalis has signed up for the Community Narcan Training sponsored by Matt Moench in concert with Rutgers RWJ Medical School.
- The upcoming ELC meeting is scheduled for January 26th
- Mr. Naples has provided information on the residential requirements for sidewalk snow shoveling as directly quoted from the Bridgewater Ordinances and cautioned everyone to be mindful of this requirement:

Paragraph 182-1. Entitled Snow Removal from sidewalks by owners;
time limit.

The owner or owners, tenant or tenants of any land abutting upon the public streets, avenues and highways of the Township of Bridgewater shall remove all snow and ice from the abutting sidewalks of such public streets, avenues and highways within 12 hours of daylight after the same shall cease to

fall or be formed thereon or within such longer period as shall be fixed by the Mayor or Director of Public Works in the event of emergency.

Council President Rose

- Had the opportunity to attend the Peapack & Gladstone land use Board meeting last night and was further educated on the proposed bee keeping regulations. Peapack & Gladstone is the community that had a challenge that resulted in the creation of some of these rules. Councilwoman Rose noted it was interesting to listen to the Board debate their letter which speaks in favor of the rules.

Mayor's Reports

Mayor Hayes stated he was present to support the consideration of both the bee keeping resolution and the resolution to assist the residents at Stratford Place.

Public Comment

On motion of Councilman Moench, seconded by Councilman Kurdyla, 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.

Girl Scout Lindsey Cole was present for her Girl Scout Gold Award which is about saving bees. She spoke in support of the bee keeping resolution that is on tonight's agenda noting while in pursuit of her Girl Scout goals, she started bee keeping as she was inspired to protect the environment and community. Lindsey opined the bee keeping community will suffer greatly without the maintained hives that we have.

Adele Barree, 1825 Mountain Top Road was present. Her family has lived in Bridgewater for 65-years. They have enjoyed living on Mountain Top Road where Agricultural use has been permitted. 10-years ago, she and her son started bee keeping on their 0.92 acre lot. She has also managed small groupings of hives at other locations in Somerset County. The group she is proud of the most is the 4-H center where she is a co-leader of the garden and bee club and the bee project leader. They have 2-lovely bee hives where they harvest honey and teach children about this process. She noted the rules that have been proposed by the State Board of Agriculture are very limiting and restrictive and will have an effect on back yard bee keepers and people with less than 5-acres of land. Council commended Ms. Barree on the great work at the 4-H center.

Charles Isley, 704 Kline Place was present. He spoke in favor of the resolution regarding bee keeping.

Jay Gardener, 31 Ray Street was present. He spoke about the proposed amendment to Chapter 126 concerning fences. He opined that open fences allow the beauty of this town to shine through and that it is the charm of this town.

Wesley Mersinger, 3 Hoagland Court was present. He stated he was the proponent that originally began discussions on the need for privacy fencing. He stated he appreciates the comments about the need to keep the beauty of the township and not having barricades around people’s homes. However, he opined that as a tax paying citizen, he should be allowed to put up a fence if it is not causing anyone undue harm or hardship. He offered there needs to be some flexibility around solid fencing noting if you have a neighbor with an unsightly lot, you should be allowed to have a fence.

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

Resolutions

THE TOWNSHIP OF BRIDGEWATER IN THE COUNTY OF SOMERSET RESOLUTION IN OPPOSITION TO THE NEW JERSEY DEPARTMENT OF AGRICULTURES PROPOSED BEE KEEPING REGULATIONS

Following an extensive discussion, Council was in support of the resolution as amended.

Mayor Hayes spoke in favor of this resolution noting he supports all comments and amendments to same.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#18-01-18-033](#) is appended to the official minutes.

AUTHORIZING THE EXPENDITURE OF \$595,400 FROM THE AFFORDABLE HOUSING TRUST FUND TO MAINTAIN THE AFFORDABILITY OF TWENTY-EIGHT AFFORDABLE HOUSING UNITS IN THE PROJECT KNOWN AS STRATFORD PLACE CONDOMINIUMS LOCATED AT 5 STRATFORD PLACE

Mayor Hayes provided background on this resolution noting the community at Stratford Place came to the Township last March to discuss concerns they were having with their sprinkler system. It was agreed that the Stratford Board would meet with township staff to come up with a resolution to this problem. Following extensive meetings, the Association agreed that in return for the Township's contribution for repair or replacement of the sprinkler system in the project, Stratford Place will restrict association fees applicable to the affordable units at the rate established by the Township's Affordability Housing Administration based on the Council On Affordable Housing and Unitrust Affordability Controls until the Year 2052 since the existing affordability controls expire in the Year 2022.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#18-01-18-036](#) is appended to the official minutes.

**Introduction
of
Ordinances**

AN ORDINANCE AMENDING CHAPTER 126 ENTITLED "LAND USE," SECTION 333 ENTITLED "AGRICULTURE" TO PERMIT THE KEEPING AND HARVESTING OF CHICKENS AND THEIR PRODUCTS AS AN ACCESSORY USE UNDER CERTAIN CIRCUMSTANCES

Township Planner Doyle explained that although the issue of chickens is new to the Township Council, it is not new to the planning and zoning departments. They have been dealing with this since 2013 when there was a surge of interest from the residents who wanted to have more control over their food products. Being that this issue is not specifically permitted on our Ordinances, then it is prohibited and as such, residents have been cited and have therefore asked for an Ordinance that would address this.

Township Planner Doyle fielded questions from the governing body. Council was in consensus to remove this item from the agenda until it is cleaned up and Council concerns are addressed.

On motion of Councilman Norgalis, seconded by Councilman Kurdyla, the foregoing Ordinance was tabled on an affirmative voice call vote of all present.

AN ORDINANCE AMENDING CHAPTER 126 ENTITLED "LAND USE," SECTION 126-2 ENTITLED "DEFINITIONS" AND 126-339 ENTITLED "REQUIREMENTS FOR SPECIFIC ACCESSORY USES" AND CHAPTER 125 ENTITLED "SWIMMING POOLS," TO REPEAL CHAPTER SECTION 126-194 ENTITLED "FENCES" AND TO CREATE A NEW CHAPTER 196 ENTITLED "FENCES AND RETAINING WALLS" TO CONSOLIDATE AND AMEND THE TOWNSHIP'S REQUIREMENTS RELATED TO CERTAIN PRIVACY FENCES

Township Planner Doyle explained the reasons this Ordinance was put together. Our Ordinances allow 50% open privacy fences whose interpretation is sometimes difficult to enforce. A study has been conducted of surrounding towns and it has been determined that a majority of them allow solid fences.

Council prefers that we find ways that make sure we recognize the hardship that our current Ordinance provides while at the same time maintaining the integrity of the character of Bridgewater neighborhoods.

Township Planner Doyle fielded questions from the governing body. Council was in consensus to remove this item from the agenda until it is cleaned up and Council concerns are addressed.

On motion of Councilman Moench, seconded by Councilman Norgalis, the foregoing Ordinance was tabled on an affirmative voice call vote of all present.

Resolutions

AUTHORIZING AWARD OF FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES TO GIBBONS, P.C. AS BOND COUNSEL FOR THE 2018 CALENDAR YEAR

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#18-01-18-034](#) is appended to the official minutes.

APPOINTMENT TO THE LIBRARY ADVISORY BOARD SHEILA RAMSAY

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#18-01-18-035](#) is appended to the official minutes.

SHARED SERVICES AGREEMENT BETWEEN THE COUNTY OF SOMERSET AND BRIDGEWATER TOWNSHIP FOR THE MILLING, RESURFACING AND RESTRIPIING OF VARIOUS STREETS AS LISTED BELOW IN AN AMOUNT NOT TO EXCEED \$2,500,000

Township Administrator Naples explained the County of Somerset desires to enter into a joint venture with the Township for the milling, resurfacing and restriping of various roads. Bridgewater Township owns and maintains said roads and it is the responsibility of the Township to pay the cost for said work. It has been determined that the most expeditious way to proceed with the project would be as a shared service agreement, with Somerset County designing, inspecting, advertising for receipt of bids and entering into a contract for construction and the Township paying their jurisdictional costs for the milling, resurfacing and restriping of said roads as more specifically set forth in this Agreement. This arrangement has worked well in the past and administration would like to continue with same.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#18-01-18-037](#) is appended to the official minutes.

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE SOCCER CENTER LOCATED AT 300 MEMORIAL DRIVE SOMERSET, NEW JERSEY AND TOWNSHIP RECREATION DEPARTMENT FOR THE SPRING AND FALL TRAVEL PROGRAMS. THE SOCCER CENTER WILL PROVIDE THE USE OF TURF FIELDS, REFEREES AND TRAINERS PAID FROM THE RECREATION TRUST FUND AT A COST NOT TO

EXCEED \$106,945.

The Township Recreation Director Christine Schneider has recommended that the Township enter into an agreement with the Soccer Center for the use of the turf fields. The funds for such programs will be paid from the Recreation Trust Fund established specifically to pay for all soccer programs and will not be paid from the operational funds of the Township. Council was in consensus this is a great program.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#18-01-18-038](#) is appended to the official minutes.

AUTHORIZING CHANGE ORDER NO. 2/FINAL CHANGE ORDER DECREASING THE AMENDED CONTRACT PRICE FROM \$332,175.75 TO \$272,233.47 WHICH IS AN 18% DECREASE IN THE AMOUNT OF (\$59,942.28), AND FINAL PAYMENT TO Z BROTHERS CONCRETE CONTRACTORS, INC., AUTHORIZING ACCEPTANCE OF THE PROJECT, RELEASE OF PERFORMANCE BOND, AND ACCEPTANCE OF MAINTENANCE BOND FOR THE MOUNTAIN TOP ROAD IMPROVEMENT PROJECT (CRIM ROAD TO MINE ROAD). THIS PROJECT WAS FUNDED THROUGH THE 2016 CAPITAL FUND

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#18-01-18-039](#) is appended to the official minutes.

REQUEST FOR WAIVER OF PLUMBING, ELECTRIC AND CONSTRUCTION PERMIT FEES IN THE TOTAL AMOUNT OF \$332.00 FOR THE GREEN KNOLL RESCUE SQUAD

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#18-01-18-040](#) is appended to the official minutes.

REQUEST FOR WAIVER OF THE FIRE PERMIT FEE IN THE TOTAL AMOUNT OF \$50.00 FOR THE SOMERVILLE ELKS LODGE #1068

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#18-01-18-041](#) 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.

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 Kurdyla, Council convened in closed session at approximately 8:57 p.m.

A copy of resolution [#18-01-18-042](#) is appended to the official minutes.

On the motion of Councilman Norgalis, seconded by Councilman Moench, the meeting reconvened to open session at approximately 9:05 p.m. and adjourned immediately thereafter.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk