

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
APRIL 16, 2018 COUNCIL CHAMBERS

The Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, convened in a regular session on Monday, April 16, 2018 at 7:30 p.m. in Council Chambers in the Municipal Complex, Bridgewater, New Jersey 08807.

Council President Rose 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, 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
Council Vice President Matthew C. Moench
Council President Christine Henderson Rose

Also Present: James T. Naples, Township Administrator
William B. Savo, Township Attorney
Natasha Turchan, Township CFO
Scarlett Doyle, Township Planner
Linda J. Doyle, Township Clerk

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

Minutes

MARCH 5, MARCH 19 AND APRIL 2, 2018- CLOSED SESSIONS

The March 5, 2018, March 19, 2018 and April 2, 2018 closed session minutes were passed around for approval.

Council Reports

Councilman Kurdyla:

- Had nothing new to report. Regrets not being able to attend the opening days at Bridgewater Baseball and Bradley Gardens Little Loop.

Council Vice President Moench

- Attended Bradley Gardens Little Loop opening Day.
- Attended the Somerset County Governing Officials monthly meeting. The

topic of discussion was the opioid crisis. Mayor Perry from Hardwick Township whose son passed away from a drug overdose several years ago addressed this issue. A woman speaker who works for Somerset treatment services spoke about her experience in terms of treating folks suffering from opioid issues. She also spoke against legalized recreational marijuana and cited some of the main issues with same.

- Attended the meeting at Picatinny Arsenal who are in search of shared service opportunities. They are looking for organizations to use their facilities for things such as police training and fire arms qualifications.

Councilman Norgalis

- Attended the Bridgewater Baseball and Softball opening day. Tom Cannizzo, BBI President, advised that the Middle School baseball backstop had collapsed during a snow storm and the field is not available to them. Council President Rose researched this issue and indicated that the Board of Education insurance will cover this issue and repairs will probably be made in May. BBI attendance is up as teams from Branchburg, Readington and Manville have joined.
- Regarding the Planning Board, no word yet on when the Advance Realty (SANOFI) project will be resubmitted.
- Attended the Bradley Gardens Little Loop opening day. This was their 60th year of supporting the neighborhood youth. A plaque was given to long time local parish priest Father John Pringle who is retiring and who gave his last invocation.
- The biggest issue this week with residents is the uncollected storm damage material at the curbs.
- This week Councilman Norgalis will attend the 200 Club Annual Valor and Scholarship Awards luncheon on Wednesday and the Bridgewater Health Fair on Thursday at the Senior Center

Councilman Pedroso

- Attended the Bridgewater baseball opening day

Council President Rose

- Attended the Bridgewater Baseball Opening Day
- Attended the Little Loop Opening Day
- Attended the Opening Day of the container store
- She was asked by Jesse Havens to join her and a couple of other people to speak with Barton Ross in reference to the County's Historic Preservation

Plan. There is a survey she has to complete and has shared it with the Friends at Bridgewater History so that they can provide input as well.

**Mayor's
Reports**

Nothing new to report.

**Introduction
of
Ordinances**

AN ORDINANCE AMENDING CHAPTER 126 ENTITLED "LAND USE," SECTION 126-2 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 addressed questions previously received from the Council & fielded additional questions concerning the proposed ordinance.

Councilman Norgalis made motion to introduce the ordinance. There being no second to the motion, the Ordinance did not pass.

It was noted that Bridgewater Resident Mersinger who was the proponent that originally began discussions on the need for privacy fencing was present in the audience.

**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 will be allowed two minutes to speak, unless there are unusual circumstances.

Wesley Mersinger, 3 Hoagland Court was present. He expressed disappointment that the motion to approve this ordinance did not carry. As a tax payer, he opined he should be entitled to have privacy. He explained that having a smaller lot with a neighbor with an unsightly property and a drainage ditch that often is the cause of mosquitoes and bugs, he should be allowed flexibility in terms of installing privacy fencing.

Council President Rose indicated she would entertain a new motion to introduce the Fence Ordinance.

**Introduction
of
Ordinances**

AN ORDINANCE AMENDING CHAPTER 126 ENTITLED "LAND USE," SECTION 126-2 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

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

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

THE ORDINANCE WAS INTRODUCED

A copy of resolution [#18-04-16-106](#) is appended to the official minutes

Linda Doyle, Township Clerk read the following report:

BE IT RESOLVED that said pending ordinance be passed on first reading and advertised as required by statute fixing the 7th day of May, 2018, 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 Township Clerk shall forward this ordinance to the Bridgewater Planning Board for their meeting to be held on April 23, 2018 to review and prepare a recommendation.

**Public
Comment**

Lawrence Powers, Esq. 14 Campbell Court in Bridgewater was present. He stated he is the president of the Friends of Bridgewater history and understands that no money has been budgeted for the preservation of the Lane Brokaw House. He expressed his understanding is that the Township received the gift of that property from the Fierro’s with the condition that the house must be maintained. He explained that this home has not been maintained and is currently uninhabitable. He expressed disappointment that this home, which he stated has been found to be the finest examples of a Dutch plantation house in the State of New Jersey is now in terrible disrepair. He explained the Friends of Bridgewater History are well able to raise some monies, which when combined with the County grant and Township match will be sufficient to repair the house. He requested that this home be maintained until the proper preservation efforts can be undertaken and offered there is a roofer who is willing to install

tarp on the roof while using his own insurance.

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

**2018
MUNICIPAL
BUDGET**

**PUBLIC HEARING FOR 2018 MUNICIPAL BUDGET
BUDGET AMENDMENTS**

Councilman Moench stated Natasha Turchan, Director of Finance has prepared a budget amendment with changes as proposed by the budget subcommittee. On a macro level, Councilman Moench explained the numbers proposed to be spent are not changing. He discussed proposed amendments noting we are reallocating \$100,000, primarily towards debt reduction (this is approximately 1% of our total debt).

Township Administrator Naples stated they received the amendments later in the day and have not had an opportunity to review what the impact will be and therefore do not agree with the proposed amendments. He addressed some of the areas that have been reduced noting the new reduced numbers may not work although a thorough review of the amendments has not been conducted.

Councilman Pedroso stated the budget committee is confident the proposed numbers in the amendments are sustainable. He added the 1% debt reduction is better than no monies being allocated to debt reduction.

Councilman Kurdyla opined he trusts the judgment of the Township Administrator and Finance Director as to where the expenses should be allocated. He is more inclined to support the budget as proposed by administration He added that while it is commendable to allocate monies towards past debt, he cannot support it on a 42M budget.

Councilman Norgalis stated he is pleased with a 0% tax increase and supports the amendments.

Council President Rose was concerned that while the Township's needs continue to grow, our budget to support that does not continue to grow. She stated she did not like the 0% budget last year and does not like it now and opined it is short sighted and a mistake. With regard to historic preservation, she expressed disappointment that no monies were allocated to this item while we have acquired two properties that are of historic value to the Township. While she appreciates that some monies are being allocated to pay down debt, she believes the professionals put together a budget that they believe is in the best interest of the Township.

Councilman Pedroso opined there is a process to adopting the budget which entails the administration proposing a budget then Council goes through that budget then offers an opinion. He offered that approving the budget as proposed by administration is disregarding the process and is a violation of Council's obligation and duty to the public to review the budget. He also addressed the historical preservation noting there was a unanimous vote for monies towards the historic preservation and nothing was done. A quote that raised the monies for preservation is what caused a concern for the governing body. Councilman Pedroso offered he is willing to consider keeping holding off on adopting the amendment to the budget if Council President Rose would like to keep this discussion going.

Councilman Norgalis made a motion to approve the amendments to the budget. The motion was seconded by Councilman Moench and carried on the following roll call vote:

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

THE BUDGET AMENDMENTS WERE APPROVED

A copy of resolution [#18-04-16-104](#) is appended to the official minutes

2018 MUNICIPAL BUDGET

MUNICIPAL OPERATING EXPENSE \$42,083,783.17

SEWER UTILITY EXPENSE \$12,454,043.00

Council President Rose stated although there are some philosophical differences concerning the proposed budget amendments, she appreciated Councilman Moench and Councilman Pedroso for the time they have put into the Budget.

Councilman Moench appreciated the comments offered by Council President Rose and added there were a few areas that administration had some concerns about that they amended and removed from the proposal presented for the amendments.

Councilman Moench made motion to approve the 2018 Municipal Budget. The motion was seconded by Councilman Pedroso and carried on the following roll call vote:

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

THE 2018 MUNICIPAL BUDGET WAS APPROVED

A copy of resolution [#18-04-16-105](#) is appended to the official minutes

**Introduction
of
Ordinances**

REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF CERTAIN GENERAL OBLIGATION BONDS OF THE TOWNSHIP OF BRIDGEWATER, NEW JERSEY, APPROPRIATING \$3,100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,100,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF

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

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

THE ORDINANCE WAS INTRODUCED

A copy of resolution [#18-04-16-107](#) is appended to the official minutes

Linda 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 7th day of May, 2018, 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

There being no questions concerning the following resolutions, Council President Rose called for a consent vote:

AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEES IN THE AMOUNT OF \$43,620.00, AND ACCEPTANCE OF THE SITE IMPROVEMENTS FOR FALLONE HOMES, LLC, BLOCK 820, LOT 5, ON MIDDLEBROOK ROAD

AUTHORIZING CHANGE ORDER NO. 2/FINAL ORDER DECREASING THE AMENDED CONTRACT PRICE FROM \$589,672.57 TO \$526,903.52 WHICH IS A 10.65% DECREASE IN THE AMOUNT OF (\$62,769.05), AND FINAL PAYMENT TO YOUR WAY CONSTRUCTION INC., AUTHORIZING ACCEPTANCE OF THE PROJECT, RELEASE OF THE PERFORMANCE BOND AND ACCEPTANCE OF MAINTENANCE BOND FOR THE STEELE GAP ROAD IMPROVEMENT PROJECT (TWIN OAKS TO NORTH OF JAGUAR LANE) FUNDED THROUGH THE 2015 CAPITAL FUND

AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE COMMUNITY VISITING NURSES ASSOCIATION FOR PUBLIC HEALTH NURSING SERVICES UNTIL DECEMBER 31, 2018 IN THE AMOUNT OF \$5,928.00

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

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

THE RESOLUTIONS WERE ADOPTED.

Copies of resolutions [#18-04-16-101 thru #18-04-16-103](#) are appended to the official minutes

RESOLUTION OF THE TOWNSHIP COUNCIL OF TOWNSHIP OF BRIDGEWATER OPPOSING THE LEGALIZATION OF RECREATIONAL CANNABIS USE IN THE STATE OF NEW JERSEY

Councilman Moench stated this resolution is an important first step in sending a message as to where the governing body stands with regard to recreational cannabis in the community. This resolution states our stand is that we oppose it and have concerns over it and may move towards an actual ordinance to ban the sale or distribution of recreational cannabis within the town. He added that following the meeting at the Somerset County Governing Officials meeting, it affirmed his belief that Bridgewater should not allow recreational cannabis within its borders.

Councilman Norgalis made it clear our stand is against recreational, not medical marijuana.

Councilman Kurdyla offered he was of the impression that Council would hold off on taking any stand until the State is clear on their direction. Township Attorney Savo stated by adopting this resolution we are sending a message to the legislators how we feel about recreational marijuana.

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	Aye
Council Vice-President Moench	Aye
Council President Rose	Nay

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#18-04-16-100](#) 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 Norgalis, seconded by Councilman Moench, Council convened in closed session at approximately 8:40 p.m.

A copy of resolution [#18-04-16-108](#) is appended to the official minutes.

On the motion of Councilman Norgalis, seconded by Councilman Pedroso, the meeting reconvened to open session at 8:50 p.m. and adjourned immediately thereafter.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk