

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
APRIL 2, 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 2, 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 (arrived at 7:36pm)
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
Linda J. Doyle, Township Clerk

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

Minutes

MARCH 29, 2018 - REGULAR SESSION
MARCH 5 AND MARCH 19, 2018- CLOSED SESSIONS

On motion of Councilman Norgalis, seconded by Councilman Moench, the March 29, 2018 regular session minutes were moved for approval and passed unanimously on a voice call vote. The March 5, 2018 and March 19, 2018 closed session minutes were passed around for approval.

Council Reports

Councilman Kurdyla:

- Attended a County screening for the Fall election a few weeks ago

Council Vice President Moench

- Councilman Moench stated that a couple of weeks ago, he had raised an issue about a letter that was sent to the residents concerning penalties associated with basketball hoops. Residents were cautioned about having hoops that extend to the streets. The letter described a monetary fine of up to \$1,000 and/or jail time not exceeding 90-days. One of the concerns he had was that our ordinances do in fact state these penalties. Councilman Moench stated he has printed out every ordinance provision that has imprisonment as a penalty for the governing body to look at. He asked that at a separate meeting, Council should discuss some of these provisions and possibly reduce and/or eliminate some of those provisions.
- Councilman Moench stated we have a Municipal Alliance and Youth Services Commission charged with enforcing public awareness on marijuana and drug & alcohol youth services issues. Based upon his analysis, the Boards as we currently have them composed are not proper in terms of State Law or resolutions passed that created these Boards. Councilman Moench state he would like to take a look at this and determine whether these Boards are in fact properly constituted.

Councilman Norgalis

- Attended the presentation of Aladdin given by the fifth grade class in Branchburg.
- Attended the Boy Scout Court of Honor where Bridgewater resident Nicholas Runyon was awarded his Eagle Scout badge, the highest award in scouting.
- Attended the Somerset County screening for the Fall election where Bridgewater Freeholder Director Patrick Scaglione was unanimously confirmed to run for an additional term.
- The Planning Board met to confirm that CIP II/ AR Bridgewater Holdings LLC's could withdraw their application, without prejudice, for the former SANOFI site. There was a slightly heated exchange when Attorney Carl Kempf, representing Avalon Bay the residential developer under contract to CIP II/AR, strongly opposed the withdrawal saying it violated their contract.
- Attended additional, now almost daily, openings at the Chimney Rock Plaza.

Councilman Pedroso

- Was honored to attend the 'Commission on the Status of Women' dinner where Councilman Moench's wife Stephanie Moench was one of the honorees. Being a council liaison to the Creative Arts committee, Councilman Pedroso stated he has firsthand knowledge of all the hard

work that Stephanie puts into the enhancement of the Arts Culture in Bridgewater and was therefore proud to be a part of this event.

Council President Rose

- Received a phone call from Brian Bradshaw, animal shelter manager who informed her that the State has done away with ASPCA (The American Society for the Prevention of Cruelty to Animals) and by Statute has put that responsibility of preventing cruelty to animals on the Municipalities. Councilwoman Rose stated this will have an impact on our animal control situation with the shelter and law enforcement as well. She asked that the Township Attorney's Office look into this and provide guidance moving forward.
- Councilwoman Rose stated there was discussion in months past about the prospect of moving the Lane Brokaw house. She therefore reached out to the firm that did the historic structure's report on the Lane Brokaw property who advised this is something that can be done. They are currently having a very preliminary conversation about this and will see how it goes. The concern is how this could affect the grant monies we are looking to get and as such will be in contact with a gentleman in Trenton who can assist.

Mayor's Reports

Nothing new to report.

2018 MUNICIPAL BUDGET

**PUBLIC HEARING FOR 2018 MUNICIPAL BUDGET
ADOPTION OF 2018 MUNICIPAL BUDGET
MUNICIPAL OPERATING EXPENSE \$42,088,000.04
SEWER UTILITY EXPENSE \$12,452,793.00**

Councilman Moench stated that he and Councilman Pedroso met to go over the budget and sent over this morning a relatively extensive list of questions to administration. Once administration responds to those questions, they will come back with any recommendations they may have regarding amendments for the Council's consideration.

On motion of Councilman Pedroso, seconded by Councilman Norgalis, the meeting was opened to the public for the purpose of discussions of the Municipal Budget.

No one wished to be heard.

Natasha Turchan, Director of Finance informed Council if the Budget is not adopted within the allowable time frame, the Township will have to answer "NO" on the best practice questionnaire which could potentially result in a loss

of funding.

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

Discussion

CANNABIS REGULATION

Councilman Moench stated discussions concerning cannabis regulations were started in January when some towns across the State introduced ordinances in different fashions regarding the potential legalization of marijuana. Governor Murphy has made this a staple of his campaign and governorship and there have been active discussions on this topic. One of the things that the proposed legislation specifically states is that municipalities can opt out of allowing the sales of recreational marijuana within their borders. This prompted the discussion whether Bridgewater as a community wants to allow the sales of recreational marijuana in its borders if in fact it becomes legal.

Councilman Moench stated the residents have questioned why he is doing this now as opposed to waiting to see whether this regulation will be made legal. He answered that having this discussion early sends a message to policy makers in Trenton whether there is or isn't support of the regulation. In addition, he stated that putting an ordinance together now protects us. If the regulation does go through, we can amend same to conform to the law; it is best to have something on the books now.

Another concern from the residents is that this is a freedom issue which will allow residents to do what they want. Councilman Moench stated the law that is pending in Trenton doesn't do that because it specifically prohibits the growing of marijuana for personal use. In his opinion, this is about doing business. Although there are concerns with the medical marijuana program, Councilman Moench opined he doesn't believe that allowing marijuana for recreational use is the answer to fixing the medical marijuana problem.

Councilman Moench stated Township Attorney Savo had prepared a memo detailing suggestions for an ordinance and therefore posed the question to the governing body about whether or not they would like to move forward with potential options on recreational marijuana in Bridgewater so that we can give Township Counsel direction.

Being there was audience present to discuss this matter, Council was in consensus to open the meeting up to the public then discuss options later.

**Public
Comment**

On motion of Councilman Moench, seconded by Councilman Pedroso, the meeting was opened to the public.

Members of the public wishing to address the Council on the cannabis regulation will be allowed two minutes to speak, unless there are unusual circumstances.

Lefty Grimmes of East Hanover NJ was present. He spoke in favor of medical marijuana dispensaries noting there are only five (5) in New Jersey & opined that placing one in Bridgewater will assure more easy access to those in need of treatment.

Jeff Oakes of Oceanport NJ was present. He stated he represents the medical community and even if Council was opposed to allowing marijuana for recreational use, he hoped they would support cannabis for medical purposes.

Nicole Ricko of Matawan NJ was present. She stated she spent a short time in Michigan where medical marijuana dispensaries were more accessible. She advised cannabis is not only made in plant form but there are oils and pills which are used to ease various ailments.

Mr. Madley of Basking Ridge, NJ was present. He discussed the advantages of medical marijuana noting it relieves symptoms for PTSD sufferers. It also assists those addicted to opioids through their detox process.

Audrey Conway was present. She stated being there is a room full of advocates speaking in favor of medical marijuana, she hoped Council would continue to educate themselves and learn what other towns are doing concerning this matter.

Amanda Hoffman of Franklin Park NJ was present. She stated she had been in chronic pain for 10-years and was desperate. She added her pain was gone with her first use of medical marijuana.

Hugh Giordano of Blackwood NJ was present. He discussed the benefits of medical marijuana including the economic advantage for the township, job creation and added it is a great way to increase revenue & tax incentives. He also offered to give Council a tour of a medical dispensary at a time of their choosing.

Christian Velasquez of Dover, NJ was present. He asked for support of the legislation to legalize marijuana noting that if it were to be legalized, we would end the stigma of marijuana as a dangerous substance.

Mr. Sanja of Randolph, NJ was present. He stated a lot of health problems originate with the use of opioids which are highly addictive. Research shows that different types of cannabis are being used to treat different types of specific illnesses and therefore asked that Council support medical marijuana.

Wayne Barine of Randolph, NJ was present. He also spoke in favor of medical dispensaries.

Richard Menosky of Spotswood, NJ was present. He stated he has been a drug and alcohol counselor for 18-years and has himself been diagnosed with multiple sclerosis and medical cannabis relieves his symptoms.

Jeffrey King of Eatontown was present. He applauded Governor Murphy on this pending legislature on behalf of the sick and suffering. He spoke in favor of medical dispensaries noting this is a social justice issue & enhancing quality of life.

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

Council President Rose opined this discussion is twofold; medical versus recreational use of cannabis and asked where the Council stood on this matter.

Councilman Moench thanked those in the public for their input and for educating Council on this issue. He stated medical marijuana was not initially on his radar and although feels strongly against recreational use will need more information on medical marijuana.

Councilman Pedroso acknowledged those in attendance but stated he has to focus on what the residents of Bridgewater want noting he has not heard from any Bridgewater residents being in support of having a dispensary in house. He stated he represents Bridgewater residents and although he realizes it is an emotional issue, he is opposed to both recreational and medical marijuana.

Councilman Norgalis stated that he could support medical marijuana use in certain circumstances but does not support recreational marijuana and would need a lot more information to consider a medical dispensary in Bridgewater Township.

Councilman Kurdyla thanked the audience for their input. He stated he can relate to those whose conditions are less symptomatic with medical marijuana usage but does not condone recreational use and would like to know what other towns have done to separate these two issues. He asked Township Attorney Savo

to look into Fair Haven Township which has managed to separate the two issues. Council President Rose was not in support of recreational usage but would consider more information to explore medical dispensaries.

Council President Rose questioned whether administration had any input. Township Administrator Naples stated Mayor Hayes wants to see what the law supports before making a decision.

Councilman Moench opined the Township should make a statement that the governing body is opposed to recreational usage and asked Township Attorney Savo to prepare a resolution to that effect.

Resolutions

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

AUTHORIZING THE SALE OF VARIOUS ITEMS (LISTED IN ATTACHED SCHEDULE) OF MUNICIPAL PERSONAL PROPERTY OWNED BY THE TOWNSHIP OF BRIDGEWATER THROUGH THE COUNTY OF SOMERSET IN THE MANNER OF A PUBLIC AND/OR INTERNET AUCTION

AWARD OF CONTRACT TO G.O. KELLER, INC. OF PLAINFIELD, NEW JERSEY FOR THE 2018 DRY CLEANING OF POLICE UNIFORMS IN THE AMOUNT OF \$43,087.70

AWARD THE 2017-2018 SNOW REMOVAL SERVICE TO RJS ASSOCIATES LANDSCAPING, INC., 85 LOESER ROAD BRIDGEWATER, NEW JERSEY TO INCREASE THE AWARD FROM \$39,000 TO NOT EXCEED \$75,000

AWARD OF CONTRACT TO BEYER FORD OF EAST HANOVER, NEW JERSEY TO PURCHASE ONE FULLY EQUIPPED MARKED BLACK & WHITE 2017 FORD INTERCEPTOR SEDAN AWD POLICE VEHICLE IN THE TOTAL AMOUNT OF \$44,123.75 TO BE FUNDED THROUGH THE SAFE CORRIDORS GRANT

AUTHORIZING CHANGE OF SCOPE TO THE PROFESSIONAL SERVICES CONTRACT INCREASING THE CONTRACT PRICE BY THE SUM OF \$5,840.00 (14% INCREASE) FOR ADDITIONAL CONSTRUCTION OBSERVATION SERVICES FOR THE COLONIAL WAY ROAD IMPROVEMENT PROJECT WITH KELLER & KIRKPATRICK, INC. FROM THE CONTRACT PRICE OF \$41,700.00 TO \$47,540.00 FUNDED THROUGH THE 2016 CAPITAL FUND

AUTHORIZING AWARD OF PROFESSIONAL SERVICES CONTRACT FOR THE SOIL SAMPLING AND ENVIRONMENTAL TESTING AS PART OF THE PINE STREET SANITARY SEWER AND ROAD RESTORATION PROJECT TO ANS CONSULTANTS,

INC., IN THE AMOUNT OF \$18,350.00 TO BE FUNDED THROUGH THE 2017 CAPITAL SEWER FUND

AWARD OF CONTRACT TO TOP LINE CONSTRUCTION CORP. FOR THE ADAMSVILLE ROAD (ROUTE 22 TO UNION AVENUE/ROUTE 28) AND SUNNSYSIDE TERRACE (ENTIRE LENGTH) ROAD IMPROVEMENT PROJECT, IN THE SUM OF \$272,629.66, FUNDED THROUGH THE 2017 CAPITAL FUND

AWARD OF CONTRACT TO ASPHALT PAVING SYSTEMS, INC. FOR THE MAINTENANCE AND REPAIR WORK (CHIP SEAL AND MICROSURFACING 2017) PROJECT IN THE SUM OF \$280,859.55 FUNDED THROUGH THE 2017 CAPITAL FUND

REQUEST FOR WAIVER OF FIRE PERMIT FEE IN THE AMOUNT OF \$60.00 FOR THE ARC OF SOMERSET COUNTY IN CONNECTION WITH THE “STEP UP FOR THE ARC” WALK AND 5K RUN HOSTED AT DUKE ISLAND PARK ON SATURDAY, JUNE 2, 2018, FROM 7:30 AM TO NOON

AUTHORIZING CHANGE ORDER NO. 1 INCREASING THE ORIGINAL CONTRACT PRICE FROM \$2,238,888.38 TO \$2,349,888.38, WHICH IS AN INCREASE OF 4.96% OR (\$111,000) FROM THE ORIGINAL CONTRACT AMOUNT TO PILLARI BROTHERS CONSTRUCTION CORP. FOR THE LEGHORN AVENUE SANITARY SEWER REHABILITATION AND RESTORATION PROJECT FUNDED THROUGH THE 2016 CAPITAL SEWER FUNDS

On motion of Councilman Norgalis, seconded by Councilman Kurdyla, 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 [#18-04-02-089 thru #18-04-02-098](#) 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.

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 9:00 p.m.

A copy of resolution [#18-04-02-099](#) is appended to the official minutes.

On the motion of Councilman Norgalis, seconded by Councilman Kurdyla the meeting reconvened to open session at 9:15 p.m and adjourned immediately thereafter.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk