

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
SEPTEMBER 6, 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, September 6, 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
Grace Njuguna, Deputy Township Clerk

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

Minutes

AUGUST 20, 2018 - REGULAR SESSION

On motion of Councilman Moench, seconded by Councilman Norgalis, the August 20, 2018 regular session minutes were moved for approval and passed unanimously on a voice call vote.

Presentation

ON P.O.I.N.T PROGRAM

Councilman Moench introduced the following officials from Stafford Township, Ocean County, NJ to conduct the presentation:

Mayor John Spodofora
Police Chief Thomas Dellane
On-POINT Coordinator Meghan Corrigan

They discussed ON P.O.I.N.T as follows:

The program was developed to address the high volume of mental health, substance abuse and social service related calls and incidents that utilize a considerable volume of police and emergency resources. Current research indicates police officers respond to calls for service from the same individual/family on multiple occasions. Police officers restore peace, but they are not sufficiently trained to address and modify the underlying cause of behavioral and mental health issues, therefore, are often forced to respond multiple times to address crises.

On P.O.I.N.T. assists in providing early intervention to individuals who may otherwise engage in the criminal justice system, and/or consumers of acute and emergency services. The On P.O.I.N.T. program's impact is expected to reduce the use of acute and emergency services through the implementation of a police-initiated social work intervention, in turn creating a new community culture of health and well-being.

Program Objectives:

- Ongoing Collaboration, training, education as well as needed support for police
- Reduction in the use of acute and emergency services
- Reduction in psychiatric and emergency room screenings via police transport
- Reduction in recurring crises that repeatedly absorb police and emergency resources
- On-going development of early intervention, pre-arrest and jail diversion programs
- Engaging community members to achieve stability and wellness

Program Outcomes:

- Cost Effective
- Reproducible
- Sustainable
- Enhance Community Policing Efforts
- Address the overwhelming need for service and support for citizens

The following was a success story discussed during the presentation:

On P.O.I.N.T. staff were referred to a local family in crisis. Stafford Police officers were dispatched to a first aid call at the residence and arrived to find a hoarding situation. A referral to On P.O.I.N.T was made and upon follow up, it was discovered that 3 people were living in the residence. Most troubling was the discovery that an adult male in the house had not left the confines of his

bedroom in excess of one year and could no longer walk as his leg muscles were extremely atrophied. On P.O.I.N.T staff were able to develop a rapport with the family, but could not link the family with other needed social services due to the poor condition of the residence. The family agreed that members of the police department and On-P.O.I.N.T staff could clean up the residence. The son was admitted to the hospital for several conditions and was released about a week later.

Council thanked the Stafford officials for coming to Bridgewater to conduct the presentation.

Council also recognized the following who were present to listen to the presentation:

- > Assemblyman Erik Peterson
- > Ed Zimmerman, Executive Director of the Governing Officials
- > Barry Walker, Board of Education member
- > Lynne Hurley, Board of Education member

Council Reports

Councilman Kurdyla:

- Nothing new to report

Councilman Norgalis:

- The Somerset Raritan Valley Sewerage Authority (SRVSA) passed its 2017 Financial Audit with flying colors. There were no requirements for any sort of corrective action. Bridgewater is the single biggest user of SRVSA capacity.
- Road overlay projects are successfully continuing as follows:
 - > Newmans Lane
 - > Brookside Drive
 - > Adamsville Road
 - > Foothill Road
 - > Vosseller Ave
- > Talamini from 287 to 202/206 has brought cheers from many JCC members.

Planning Board Update

- The Planning Board heard its first presentation for the NJ Center of Excellence Plan (1041 Route 202/206). The formal request is for Preliminary and Final Site Plan Approval- Predominantly Commercial Development and for Preliminary Site Plan Approval - Predominantly Residential Development. This application was a little confusing. Two sets

of prints were distributed. The first set, dated 5-9-18 was a complete 66 page package with the following variances requested:

- › Maximum building height of parapet 3” maximum required - 6” requested
 - › 10’ wide loop pathway around entire property required - request to significantly limit the scope of pathway
 - › Parking Driveway setback 10’ required - requested 0’
 - › Parking stall size general 9.5’ x 18’ required - requested 9’ x 18’
 - › Parking stall size supermarket 10.0’ x 18’ required - requested 9’ x 18’
 - › Deciduous tree plantings 1257 trees required - requested 255 trees
 - › Shrubbery plantings 2880 plants required - 1792 requested shrubs
 - › Foundation plantings 2879 shrubs required - requested 1491 shrubs
 - › Lighting in parking lot 1.5 foot candles avg required - requested 1.3 fc
 - › Lighting at intersections 3.0fc avg required - requested 1.78 fc
-
- Planner Doyle stated at the Planning Board meeting that it is within the purview of the Planning Board, based upon the wording of the Redevelopment Plan that “the Bridgewater Planning Board may “ ...grant such relief (read as variance)..where the purpose of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments”.

 - There was a second 16 page package, dated 8-16-18 with several modifications especially on page C-03 in which two buildings were added. One, a 2600s/f Café -coffee shop wholly within the 200’ setback from 202/206, and the second a residential / commercial building approximately 50% in within the setback. This second package added an additional variance request for “Minimum Front Yard for Principal Structure” which required 200’ (from 202/206) and requested 132”. I have been told that the “second package” changes resulted from a large meeting on July 23 to include approximately 23 people including township employees, township attorney, township planner, Planning Board members as well as architects, planners, attorneys and engineers for the applicant.

 - Councilman Norgalis thanked Mr. Naples for his follow-up on the concerns he raised several weeks ago for the dilapidated condition of the home at

the corner of Crim Rd. and Sherlin Dr. Over the weekend, Councilman Norgalis received a joyous phone call from a resident saying that there is a beehive of worker activity to make it habitable.

Councilman Pedroso:

- Reiterated his dislike for the Center of Excellence noting in his opinion, there is no project that is worse than this plan because it threatens the quality of life for Bridgewater residents adding he does not believe they signed up for this town to resemble a down town city.

Council Vice President Moench

- Thanked Council for allowing the Stafford officials to be present for the On P.O.I.N.T presentation. He opined this is a great program that Bridgewater needs to implement/emulate perhaps with some modifications. He further suggested that Administration/Police Chief offer the Council a presentation of the process that is already in place that addresses issues such as those addressed by On P.O.I.N.T.

Council President Rose:

- Spoke with regard to the Chicken Ordinance that has been a topic of discussion in the recent past. She stated there is a librarian who took it upon herself to copy out of their records everything related to chickens.

She read an article that appeared in May 8, 1908 chronicle as follows:

“The minutes of the April meeting were read and approved and the chicken question came up. Mr. Larou had grown righteously indignant because chickens belonging to a neighbor paid particular attention to his premises, scratching out flowers and otherwise damaging his property at the Corner of Cedar and Highstreets. His letter of complaint enlisted the sympathies of Mayor and Council, his honor taking occasion to make a few prominent remarks on chickens, their owners and the liabilities of the latter. An official notice is to be sent to the man owning the chickens that he must keep his chickens off his neighbor’s property.”

Council president Rose offered to make copies of this information for any interested Council member

- Council president Rose asked that the governing body offer any questions or concerns they may have regarding the Center of Excellence project to Councilman Norgalis who will in turn speak to Administration/Planning Board.

Mayor's Reports

Township Administrator Naples

- Nothing new to report

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

Curtis Kraut of 199 Adamsville Road was present. He asked Council to amend the Ordinance (section 126-335) regarding the installation of roof-mounted solar renewable energy facilities on accessory buildings. He added he would like to install a roof-mounted solar array on the roof of his detached garage but the code prohibits him from doing so. Council was in consensus the Ordinance needs to be reviewed. Township Attorney Savo will review the code for possible amendment and report to Council.

John-Paul Levin of 491 Knorwood Drive was present. He asked how the marijuana Ordinance that is a topic of discussion tonight affects medical marijuana. He was advised this Ordinance does not affect medical marijuana dispensaries or distribution in Bridgewater Township.

Robert Young, 926 Route 202/206 was present. He stated he is a certified medical cannabis consultant and addressed the marijuana Ordinance that is a topic of discussion tonight. He asked that the Council not vote in favor of having a recreational dispensary in Bridgewater.

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

Public Hearing & Final Action Ordinances

AN ORDINANCE CREATING A NEW CHAPTER 53 ENTITLED "RECREATIONAL MARIJUANA" TO BAN THE SALE, CULTIVATION, MANUFACTURING AND TESTING OF RECREATIONAL MARIJUANA WITHIN BRIDGEWATER TOWNSHIP

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

No one wished to be heard.

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

Council President Rose stated she supports this Ordinance because once Trenton

comes to a decision concerning this proposed legislation, Council will have the opportunity to revisit this matter. She added that one of her concerns is that the problems we are attempting to avoid in the township by banning recreational use of marijuana will remain because without having a dispensary, we may not have the benefit State taxes in order to develop and fund programs to help with those issues. She stated she is hopeful that once Trenton provides a clear direction, Council will have the opportunity to revisit this and make required changes.

Councilman Moench stated Council does not have the authority to ban the use of marijuana if Trenton legalizes it. At this point, Council is being proactive because there is a provision that allows Township's to opt out of this bill.

Councilman Pedroso stated in his opinion, it is acceptable to lose monies from the State as a result of disallowing the sale of recreational marijuana.

Councilman Kurdyla stated he supports marijuana for medical reasons but not for recreation.

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 ADOPTED.

A copy of resolution [#18-09-06-222](#) is appended to the official minutes

**Introduction
of
Ordinances**

AN ORDINANCE AMENDING CHAPTER 4 "ADMINISTRATIVE ORGANIZATION", ARTICLE XIV ENTITLED "DEPARTMENT OF POLICE", SECTION 4-84 D, (COMPOSITION AND ORGANIZATION OF THE POLICE FORCE) MODIFYING THE NUMBER OF POLICE OFFICERS TO ALLOW EMPLOYMENT OF THREE CLASS III SPECIAL LAW ENFORCEMENT OFFICERS PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:14-146.10

Township Administrator Naples stated the administration for the school district has approached the police department and offered they would like to hire and pay for three (3) class III Special law enforcement officers to be utilized in the school district. In order to accomplish this, there is a grant agreement that Township Attorney Savo drafted and sent to the school administration for their

initial review. The school has asked that we introduce this ordinance as they review the agreement.

Councilman was in agreement that the third and fourth WHEREAS of this resolution be amended as follows:

WHEREAS, the Bridgewater-Raritan Board of Education (“Board”) has requested the Township to retain three Class III Special Law Enforcement Officers for school safety; and

WHEREAS, the Board shall pay all costs, including litigation costs and settlements arising out of the employment of the three Class III Special Law Enforcement Officers pursuant to a separate Agreement;

Councilman Moench asked for information regarding the functionality/powers of Class III officers and how capable they are in moments when security is compromised. Administration will get back to the Council regarding this.

Councilman Moench and Councilman Pedroso expressed their support of this Ordinance noting that having a police presence in the schools is crucial. They commended the board of education for being proactive and taking this step in securing the schools.

Councilman Norgalis stated we should be clear that although the title of the Ordinance references ‘special law enforcement officers’, these officers are not police officers in the form that we know of because they do not have the same powers as police officers such as making arrests.

On motion of Councilman Moench, seconded by Councilman Pedroso, 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 [#18-09-06-223](#) is appended to the official minutes

Grace Njuguna, Deputy 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 1st day of October,

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.

AN ORDINANCE CREATING A NEW CHAPTER 19 OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER ENTITLED “HISTORIC PRESERVATION” FOR THE PURPOSES OF CREATING THE OFFICE OF TOWNSHIP HISTORIAN AND A LOCAL HISTORY ADVISORY COMMITTEE

Councilman Pedroso stated he has been a proponent of getting this Ordinance done. He added this comes at no cost to the Township and those participating would be volunteers and residents of the town including one (1) historian appointed by the Council and six (6) committee members to be appointed by the Mayor with the advice and consent of the council.

Councilman Pedroso stated that government has a duty to preserve history for future generations. This committee will be a safe haven for documentation of historical artifacts or items having a historical value. He added that although there are other similar groups like Friends of Bridgewater, this group differs from the others.

Council President Rose asked how and where these items will be stored. She also stated there might be a cost related to storage and added she would like to know what that cost will be. She further inquired what specific ways these items will be preserved and where the money to preserve these items will be obtained.

Councilman Pedroso stated this Ordinance will allow us to start somewhere and although we do not have all the answers at this point, he doesn't foresee a great cost to this endeavor.

Council President Rose opined we are not prepared at this moment to approve this Ordinance because there are many unanswered questions.

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

Councilman Kurdyla

Nay

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

THE ORDINANCE WAS INTRODUCED.

A copy of resolution [#18-09-06-224](#) is appended to the official minutes

Grace Njuguna, Deputy 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 1st day of October, 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.

Resolutions

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

PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2018 BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) MUNICIPAL ALLIANCE-\$36,208.25

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

AUTHORIZING A GRANT/LOAN IN THE AMOUNT OF \$2,000.00 TO MOUNIR BARI & FATIHA ELHABBACHE, RESIDING AT 55 CAIN COURT, LOT 140, BLOCK 530.01, BRIDGEWATER, NEW JERSEY 08807 IN ACCORDANCE WITH THE BRIDGEWATER TOWNSHIP CONDOMINIUM FEE ASSISTANCE PROGRAM FOR AFFORDABLE HOUSING UNITS, CHAPTER 126-SECTION 321.4Q

AUTHORIZING A GRANT/LOAN IN THE AMOUNT OF \$2,000.00 TO JOHN AND NADIA LYSZYK, RESIDING AT 59 CAIN COURT, LOT 77, BLOCK 530.01, BRIDGEWATER, NEW JERSEY 08807 IN ACCORDANCE WITH THE BRIDGEWATER

TOWNSHIP CONDOMINIUM FEE ASSISTANCE PROGRAM FOR AFFORDABLE HOUSING UNITS, CHAPTER 126-SECTION 321.4Q

AWARD THE 2018-2019 SNOW REMOVAL SERVICE TO RJS ASSOCIATES SERVICES, LLC, 85 LOESER ROAD, BRIDGEWATER, NEW JERSEY IN THE AMOUNT OF \$50,000.00

RENEWAL OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE #1806-33-017-006, CHIMNEY ROCK LQR LLC, POCKET LICENSE WITH SPECIAL RULING N.J.S.A. 33:1-12.39

PERSON TO PERSON PLENARY RETAIL DISTRIBUTION LIQUOR LICENSE TRANSFER FROM ELLIOTT HOME BEVERAGES, INC. ASSIGNED THROUGH THE DILORENZO FAMILY TRUST, PLENARY RETAIL DISTRIBUTION LICENSE NO. 1806-44-022-006 TO KRISHA BEVERAGE, INC T/A BRIDGEWATER WINE & SPIRITS FOR THE PREMISES AT 573 UNION AVENUE, BRIDGEWATER, NEW LICENSE NO. 1806-44-022-007

PERSON TO PERSON AND PLACE TO PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE 1806-33-004-007 FROM BRIAD DEVELOPMENT, LLC 600 SOMERSET CORPORATE CENTER BOULEVARD, BRIDGEWATER TO ZIN BRIDGEWATER, LLC TO BE SITED AT 550 SOMERSET CORPORATE BOULEVARD, BRIDGEWATER T/A ZINBURGER WINE & BURGER BAR, NEW LICENSE NUMBER 1806-33-004-008

REQUEST FOR WAIVER OF CONSTRUCTION PERMIT FEE IN THE AMOUNT OF \$87.00 FOR BRADLEY GARDENS FIRST AID & RESCUE SQUAD, INC. AT 106 LINDEN STREET, BRIDGEWATER FOR THE REPLACEMENT OF THE HOT WATER HEATER

REQUEST FOR WAIVER OF FIRE PERMIT FEE IN THE AMOUNT OF \$60 FOR PIONEER FAMILY SUCCESS CENTER, 34 W. MAIN STREET, SUITE 201, SOMERVILLE, NJ IN CONNECTION WITH THE FAMILY CAMPFIRE AT THE BRIDGEWATER YMCA AT 601 GARRETSON ROAD, BRIDGEWATER ON THURSDAY, SEPTEMBER 13, 2018

AUTHORIZING CONSENT AGREEMENT WITH LCS DEVELOPMENT, LLC TO PERMIT PLACEMENT OF REQUIRED IMPROVEMENTS IN EMERGENCY ACCESS EASEMENT ON BLOCK 711, LOT 13 BE NAMED AS 901 FRONTIER ROAD

AUTHORIZING EXECUTION OF A DEVELOPER'S AGREEMENT BETWEEN THE TOWNSHIP OF BRIDGEWATER AND LCS DEVELOPMENT, LLC FOR

**CONSTRUCTION OF SENIOR LIVING AT BLOCK 711, LOT 13, LOCATED AT 901
FOOTHILL ROAD**

On motion of Councilman Kurdyla, seconded by Councilman Moench, 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 [#18-09-06-225 thru #18-09-06-236](#) are appended to the official minutes

**RESOLUTION APPOINTING BRIAN BRADSHAW AND NANCY GEDBAW OF THE
SOMERSET REGIONAL ANIMAL SHELTER AS HUMANE LAW ENFORCEMENT OFFICERS
PURSUANT TO N.J.S.A. 4:19-14.1 FOR THE PURPOSE ENFORCING ANIMAL WELFARE
LAWS AND REGULATIONS WITHIN BRIDGEWATER TOWNSHIP**

Council was in consensus to amend the resolution as follows:

WHEREAS, the Humane Law Enforcement Officer shall, pursuant to N.J.S.A. 4:22-14.1, have responsibility for animal welfare within the jurisdiction of the municipality and shall enforce the animal welfare provisions contained in Title 4, including investigation and signing of complaints, and otherwise acting as an officer for the detection, apprehension of offenders against the animal welfare and animal cruelty laws of the State and ordinances of the municipality; and

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	Aye
Council Vice-President Moench	Aye
Council President Rose	Aye

THE RESOLUTION WAS ADOPTED.

Copies of resolutions [#18-09-06-237](#) are appended to the official minutes

AWARD OF CONTRACT IN THE SUM OF \$37,214.90.00 TO UNIVERSAL UNIFORM SALES INC., 1015 BROAD STREET, NEWARK, NEW JERSEY FOR 29 BALLISTIC VEST AND VEST CARRIERS FROM POINT BLANK VISION IIIA TO BE FUNDED FROM THE 2018 POLICE BUDGET BIDS AND PROPOSALS

Councilman Norgalis stated he would like independent proof that the vests and vest carriers requested must be the type specified.

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

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

THE RESOLUTION WAS ADOPTED.

Copies of resolutions [#18-09-06-238](#) are appended to the official minutes

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 9:35 p.m.

A copy of resolution [#18-09-06-239](#) is appended to the official minutes.

On the motion of Councilman Norgalis, seconded by Councilman Kurdyla, the meeting adjourned at approximately 10:10pm and adjourned immediately thereafter.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Closed
Session

Christine Henderson-Rose
Council President