

**MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
OCTOBER 1, 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, October 1, 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 Savo, Township Attorney
Linda J. Doyle, Township Clerk

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

Council Reports

Councilman Kurdyla:

- Received an email regarding the Eden Woods project from a resident who is concerned about their request for a bus stop on the property. Councilman Kurdyla stated he believes this matter has been addressed by the Planning Board who confirmed that access to this property would not be allowable to the side streets. Councilman Kurdyla asked that when this matter goes to the Planning Board, Council's support of this arrangement should be maintained.

Councilman Norgalis:

- The Somerset Raritan Valley Sewerage Authority has raised its single user new connection fees from \$2247 to \$2284, which is a 1.6% increase.

- A subcommittee of the Planning Board met with the Advance Realty Principals to iron out details on the Route 202/206 SANOFI property including setback, drive thru, COAH housing location and perimeter pathway. This is still a work in progress.
- The Planning Board met on September 24th to hear testimony regarding two hotels, a fitness center, senior day care center and a banquet hall on a 17 acre site on Frontier Rd. That application needs a great deal of work on the part of the applicant.
- Attended the Somerset County Alliance for Action meeting at Maggiano's. Main topics were; Reinventing Raritan Borough, JCP&L Reliability through new investment, Improving Somerset County's Infrastructure, PSE&G Upgrades and DOT Capital Plans for Somerset County. It was time well spent.
- Attended the Somerset County Planning Board Partners Forum. The main presenter was Jeff Perlman from the North Jersey Transportation Planning Authority speaking on behalf of Alternative Fuel Vehicles. The state is making a strong push toward electric vehicles.
- Attended the Police promotion ceremony where the following promotions were celebrated:
 - Kevin Tennant to Lieutenant
 - Brian Blath to Sergeant
 - Todd Mele to Sergeant
- Attended the September Employer Legislative Committee (ELC) meeting. They talked about polar opposites. The NJ Business Action Center representative Melanie Willoughby said things are great and getting better under Governor Murphy. The Business and Industry Association representative said "for business, things are bad and getting worse".
- Norma H. Hancock passed away at age 97. She was the owner of the Hancock property now part of the township open space program.

Councilman Pedroso:

- Nothing new to report.

Vice President Moench

- Attended the Police promotion ceremony where he provided refreshments to the police officers
- Met with some County personnel, along with Council president Rose to

further discussions concerning ONPOINT, a program where the police department partners with social workers in order to provide proactive community health services to folks who the police may be aware are in need of said services. This meeting was an effort to have a better understanding of some of the programs that are already in place at the County level. Councilman Moench advised there will be more follow-up meetings as they continue to gather more information.

- Councilman Moench expressed concern over a report released today that indicated that Bridgewater is number 31 in the State for the most drug problems in a school district.
- Councilman Moench stated he has requested information from Administration on various items and has been awaiting a response. Township Administrator Naples responded with the time frame when those items will be forthcoming.

Council President Rose

- Met with Somerset County's mental health administrator and director of human services along with Councilman Moench to get a better understanding of programs, similar to ONPOINT that are already in place at the County level.
- Toured the Hancock property with the History committee on Sunday. They were led by Scott Heller who is the grandson of Mrs. Hancock.

Mayor's Reports

Mayor Hayes

- September was Ovarian Cancer awareness month. Every year, Bridgewater shows support to this cause with a "turn the town teal" ceremony.
- Electric Car ride is an event Bridgewater continues to be proud of. Despite bad weather, there are residents and vendors who attended and had a great time.
- Attended the Basilone parade.
- Had a successful Bridgewater community day where we partnered with the Jewish Community Center.
- Martinsville community day was also a successful event.
- Toured the Hancock and Camp Cromwell facilities.
- Attended a special meeting of the regional center. They were presenting the results of a study that showed that through some state incentive programs, suburban areas are significantly disadvantaged relative to urban areas. There was then a discussion on a strategy to determine best way to close the gap between the incentive differences.
- There will be a "tree for all" event on October 20th at Kid Street.
- There will also be a Halloween festival at the end of October.

Discussion

CREATIVE ARTS COMMITTEE

Stephanie Moench, Chair of the Creative Arts Committee was present. She thanked the Council for allowing the Bridgewater Creative Arts Committee (BCAC) to conduct this presentation.

Ms. Moench stated BCAC's continued goal is to give residents and artists the opportunity to expose their visual and performing arts talents as well as give residents both art making and art appreciation opportunities throughout the year. BCAC also makes it a goal to advise the Township where the arts can be incorporated as well as opportunities for public funding. She thanked the Council for years of support. She also thanked the Clerk's office and the public works department for the assistance they provide to this committee.

Ms. Moench noted there is currently a proposed change to the structure of their committee. For that reason, she stated BCAC requests that their Ordinance which is on tonight's agenda be tabled to provide them an opportunity to sit down with the administration to discuss a recommendation in structure to better fit the program of sustainable New Jersey that the township already partakes. She stated BCAC believes they can greatly impact the amount of points gathered for the township. Ms. Moench stated this past year, the administration reached out to BCAC to gather information to acquire points for sustainable NJ and therefore this year the Township is categorized in bronze standing for this program.

Ms. Moench also stated BCAC requests the growth of the committee to eleven (11) members which will include personnel from administration in order to better suit the structured guidelines of sustainable NJ.

Ms. Moench introduced Adam Perle member of the BCAC who is also president and CEO of ArtPride NJ to better explain how the committee can better serve this program and our township.

Adam Perle stated he has been a resident of Bridgewater community for a little over eleven (11) years. He stated in his current position at ArtPride, their work is mostly focused on advancing the arts through advocacy and promotion. One of the things they do on a daily basis is working directly with municipalities on how to utilize the arts better for their communities. They do this for free throughout the state using workshops, training, direct consultations etc. and is grateful to be bringing that expertise to his hometown. He added that his team works with sustainable NJ which has a step by step structure process. Mr. Perle discussed some of the steps which include

- Establish a Creative Team

- Creative Assets Inventory
- Creative Placemaking Plan
- Municipal Commitments to Support Arts and Creative Culture
- Utilizing Your Creative Assets

Councilman Pedroso stated he is the Council liaison to the Creative arts Committee. He acknowledged their hard work and efforts and especially complimented Stephanie Moench who has chaired this committee for six years in which time she revived it into what it is today.

CAMP CROMWELL

Mayor Hayes introduced Kristen Schiro, Director of Human Services who has been leading the Camp Cromwell efforts for administration. He noted she will be presenting updates to the work they have been doing. He added they have had sixteen (16) residents who have assisted and came up with direction for administration to provide both active and passive recreation for the community. Their goal was to open the property and make it accessible to the residents as quickly as possible.

Ms. Schiro conducted the presentation as follows

Accomplishments to date:

- Met with Mayor's ad hoc committees as they presented their ideas and findings.
- Consulted outside expert organizations with expertise on this type of property and some of the amenities.
- Consulted with township staff departments including parks, recreation, engineering, finance. They meet regularly to continue with next phases.
- Formed an in house Camp Cromwell team.
- Held onsite meetings to explore ideas.
- Explored grant opportunities.

The goal of Phase 1 is to open the property to our residents by Spring of 2019 in a passive way as follows:

- Nature Trail - this is approximately 2miles long and is proposed to be used for mountain biking, hiking, scouting activities which have both physical and mental health benefits. The trail also has connectivity to other very popular points of interest in Bridgewater including Middle Brook Trail, Buttermilk Falls, Hawk Watch, Chimney Rock Park, Crim School.
- Grant Funded Paved Asphalt Trail
- Fitness Stations Along the Trail
- Indoor Gym - Facility Rentals

The PowerPoint presentation can be viewed [here](#). Map showing the property in

question can be found [here](#).

Mayor Hayes, Township Administrator Naples and Mr. Schiro fielded questions from the Council concerning proposal discussed for Camp Cromwell.

**Public
Comment**

On motion of Councilman Pedroso, 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.

Debra Albanese was present. She stated she was speaking in her capacity as the president of the Bridgewater library advisory board which is comprised of herself and four (4) other resident volunteers.

Ms. Albanese noted Councilman Moench is the current council liaison. She stated she was present to respond to the fairly serious allegations that were recently leveled to the Boar and made the following statement:

Shortly after the Council's meeting on August 20th, the library board learnt for the first time, that Councilman Moench had concerns about what he believes is a lack of fiscal responsibility by the library board members. Prior to that time, Councilman Moench did not approach the Board or the County library system to get accurate information about the funding sources for the Bridgewater branch. Nor did he inquire about the process by which expenditures were being made. He also did not share any of his concerns with the Board or the County system. Instead, and without any advance notice to the Board or the County system such as would have allowed either to be present to hear and respond to the allegations being raised, Councilman Moench made some fairly harsh albeit very general claims of a lack of fiscal responsibility by the Board. When subsequently asked by the Board to provide specific examples of the acts that led to his stated concerns, none have been forthcoming. He simply responded he could not provide any further detail until after the Township's legal council had completed an analysis of the legal matter. The Township's legal council has now completed a review of this matter as Councilman Moench requested and issued his report more than a few weeks ago. Notably, legal counsel has concluded the Board has acted and continues to act within the balance of the authority conferred upon it by Township ordinance, resolution of the Somerset county library commission and applicable statutory authority. Also worth noting is the fact that at no point between 2013 and August 20th of this year, did any member of the Township Council who served as liaison to the board ever voice any concerns about the Board's fiscal management or responsibility. It is not for the board to speculate why Councilman Moench made those allegations without first

obtaining the relevant underlying information or raising his concerns in the proper form. Rather, the Board's purpose in providing this response is to confirm in the same setting in which the concerns were originally raised that we have done nothing wrong in operating as we have in the past several years.

We press that the issue has been put to rest by legal counsel once and for all. For our part, the board members would like nothing more than to put this disappointing and ultimately unfair situation behind us and return their focus to ensuring that the Bridgewater library continues to serve the needs of our community and provides an outstanding experience for everyone who visits.

Councilman Moench stated his concerns remain that at the end of the day, he doesn't believe that a library advisory board, even if technically legal, should be making decisions and giving advisement on how money is spent. He stated that should be under the control of the Bridgewater Township government. At the meeting he attended, there was a vote taken whereby the library advisory board was authorizing the County to spend money. He continues to believe this is not good policy regardless of whether or not the Township attorney says it may be technically legal. From a policy standpoint, the fact of the matter remains that no board under this government should be making any decision regarding money except for the Township Council. He added he didn't accuse anyone of mismanagement but that the Board structure in his view is not proper. He also noted there are no minutes being taken during the library board minutes adding minutes should be kept and records should be audited when monies are involved.

Mayor Hayes stated the Library Board does not authorize the expenditure of funds, neither do they control funds; they give advise on behalf of the Township about expenditure of funds. He added the Library Board has a good working relationship with the County Library Board system and therefore consult with our board about how they intend to spend funds. Mayor Hayes stated we have no control over this because the County is not part of our funding system. Our Library Board merely gives agreement through their advise but do not have an authorizing authority.

Township Attorney Savo stated the Library Board is an advisory group. It doesn't appropriate money but rather gives advise on how the County will spend the money. The County asks for advise as a courtesy. He recommended that the library take minutes for every meeting and provides same to Council and Administration so that everyone is on the loop. As far as money, it is not Township money, but rather County money in the form of fines.

Residents from Peach Tree Road were present. They stated residents on Peach

Tree Road have a terrible time receiving their mail both from FedEx and UPS noting their road is a dead end street with a Basking Ridge mailing address but physically in Bridgewater. They stated they would like to change their address to Peach Tree Drive in order to mitigate this problem and asked if Council can assist them. Mayor Hayes stated his office will hand deliver a letter to all residents on their street that is affected by this and together will come up with best way to resolve this issue.

Boy Scout Troshan Omprahash of Troop 88, 12 Shields Lane, Bridgewater, NJ was present for his citizenship and community badge

Boy Scout Malachi Morehead of Troop 154, 1227 Evergreen Drive, Bridgewater, NJ was present for his citizenship and community badge

Boy Scout Ryan Harpe of Troop 154, 1028 Washington Valley Rd, Martinsville, NJ was present for his citizenship badge

Boy Scout McKeegan Brown of Troop 154, 20 Old Stage Coach Road, Basking Ridge, NJ was present for his citizenship badge

Boy Scout Philip Siana of Troop 154, 1026 Buxton Road, Bridgewater, NJ was present for his citizenship badge

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

**Public
Hearing &
Final Action
Ordinances**

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

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 opposed this Ordinance when it was first introduced and continues to oppose it because she believes it is very important to discuss how this group is going to work, how the historian is going to act and where the money will come from to take care of the items to be preserved.

Councilman Pedroso stated 269 years of Bridgewater history has passed and for a government not to take a task of preserving its history for future generations is a dereliction of its duty. This Ordinance will start the process of focusing on preserving our history.

Councilman Kurdyla stated he has too many questions regarding this ordinance will therefore not be voting in the affirmative.

On motion of Councilman Pedroso, seconded by Councilman Norgalis, 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 ADOPTED.

A copy of resolution [#18-10-01-255](#) is appended to the official minutes

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

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.

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 [#18-10-01-256](#) is appended to the official minutes

Ordinances
for
Introduction

AN ORDINANCE CREATING A NEW CHAPTER 18 OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER ENTITLED “CREATIVE ARTS ADVISORY COMMITTEE” FOR THE PURPOSES OF THE SUPPORT AND ADVANCEMENT OF THE CREATIVE ARTS IN THE TOWNSHIP OF BRIDGEWATER

Councilman Pedroso made motion to table this resolution per the request of the Creative Arts Committee. Motion was seconded by Councilman Norgalis and carried on the following roll call vote:

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

AN ORDINANCE CREATING A NEW CHAPTER 22 OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER ENTITLED “BRIDGEWATER-RARITAN MUNICIPAL ALLIANCE”

Councilman Moench stated this ordinance brings the Municipal Alliance Committee in line with State statute regarding its appointment process.

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 [#18-10-01-257](#) 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 15th 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:

REJECTING BIDS FOR THE ROAD PROJECT KNOWN AS WOODLAND TERRACE IMPROVEMENT PROJECT

AWARD OF CONTRACT TO TOP LINE CONSTRUCTION CORP. (22 FIFTH STREET, SOMERVILLE, NJ 08876) FOR THE BWT-4 ROAD IMPROVEMENT PROJECT (ENGLISH COURT, GRAYBAR DRIVE, AND SEVILLE COURT), IN THE SUM OF \$410,318.50, FUNDED THROUGH THE 2018 CAPITAL FUND

AUTHORIZING EXECUTION OF A DEVELOPER'S AGREEMENT BETWEEN THE TOWNSHIP OF BRIDGEWATER AND EXETER 700 ROUTE 202/206, LLC FOR CONSTRUCTION OF A NEW BUILDING AT BLOCK 549, LOT 17, LOCATED AT 700 ROUTE 202/206

AUTHORIZING CHANGE ORDER NO. 1/FINAL CHANGE ORDER DECREASING THE PRICE FROM \$272,629.66 TO \$224,756.99 A DECREASE OF 17.56% OR (\$47,872.67), AND FINAL PAYMENT TO TOP LINE CONSTRUCTION CORP., AND AUTHORIZING ACCEPTANCE OF THE PROJECT AND RELEASE OF PERFORMANCE BOND AND ACCEPTANCE OF MAINTENANCE BOND FOR THE ADAMSVILLE ROAD (ROUTE 22 TO UNION AVENUE/ROUTE 28) AND SUNNYSIDE TERRACE BY TOP LINE CONSTRUCTION CORP. (22 FIFTH STREET, SOMERVILLE, NJ 08876), FUNDED THROUGH THE 2017 CAPITAL FUND

AUTHORIZING CHANGE ORDER NO.1/FINAL CHANGE ORDER DECREASING THE CONTRACT PRICE FROM \$273,087.30 TO \$268,685.88 A DECREASE OF 1.61% OR (\$4,401.42), AUTHORIZING ACCEPTANCE OF THE PROJECT, RELEASE OF THE PERFORMANCE BOND, ACCEPTANCE OF THE MAINTENANCE BOND, AND FINAL PAYMENT TO REIVAX CONTRACTING CORP. (356 THOMAS STREET, NEWARK, NJ 07114), FOR THE BWT-3 DOW ROAD (COUNTRY CLUB TO MADISON AVENUE) AND ROOSEVELT STREET EAST (COUNTRY CLUB ROAD TO EASTERLY END) IMPROVEMENT PROJECT, FUNDED THROUGH THE 2017 CAPITAL FUND

APPOINTMENTS TO THE CREATIVE ARTS COMMITTEE - NEHA LIMAYE AND ANNE VAN DRUFF

On motion of Councilman Moench, seconded by Councilman Norgalis, 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 [#18-10-01-258 thru #18-10-01-263](#) are appended to the official minutes

AUTHORIZING EXECUTION OF A POLICE SERVICES AGREEMENT FOR THREE CLASS III OFFICERS FOR SCHOOL SAFETY WITH BRIDGEWATER RARITAN BOARD OF EDUCATION (“BOARD”) WITH ALL COSTS OF THE THREE CLASS III OFFICERS TO BE PAID BY THE BOARD

During the agenda session, Councilman Norgalis had asked that the resolution be revised to include that the Board of Education would acquire additional insurance coverage for any incidences occurring during the hours that these officers are on school property. Township Administrator Naples stated he spoke to Peter Starrs, Business Administrator at the Board of Education and reiterated the changes requested by Councilman Norgalis for both the resolution and agreement. Mr. Starrs stated the Board of Education was not in agreement with proposed changes.

Township Attorney Savo explained it will be quite expensive for the Board of Education to acquire this type of coverage. Being that Bridgewater already has coverage and should any lawsuit be filed, Bridgewater would also be named in the suit and would be liable, it would make sense not to have the Board of Education acquire additional coverage. It was also noted that additional expense to the Board of Education would be translated to our residents. Following an extensive discussion, Councilman Norgalis conceded the additional language he originally requested could be removed. Council agreed to approve this resolution as originally presented.

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

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

THE RESOLUTION WAS ADOPTED.

Copies of resolutions [#18-10-01-264](#) are appended to the official minutes

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION UNDER THEIR 2019 BIKEWAYS PROGRAM FOR THE CAMP CROMWELL BIKE PATH IN THE AMOUNT OF \$279,565

The authorization to submit the grant for the bikeways project at Camp Cromwell was discussed at length during the presentation by Kristen Schiro, Director of Human Services earlier in the meeting. After establishing the bikeway grant would cover the cost for the area depicted in green on map presented and that the parks department would in fact be clearing the external portion of the trail, Council was in consensus to apply for the grant in the hopes that they could secure approval to construct the macadam bikeway.

On motion of Councilman Moench, 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 [#18-10-01-265](#) are appended to the official minutes

Adjournment

On the motion of Councilman Norgalis, seconded by Councilman Pedroso the meeting adjourned at approximately 8:05 p.m.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Christine Henderson Rose
Council President