

**MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL  
OCTOBER 11, 2018 COUNCIL CHAMBERS**

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.

**Closed Session**

**BE IT RESOLVED**, by the Bridgewater Township Council that this body will now hold a closed meeting to discuss litigation.

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 Norgalis, Council convened in a closed session at approximately 7:03 p.m.

A copy of resolution [#18-10-11-266](#) is appended to the official minutes

On the motion of Councilman Moench, seconded by Councilman Norgalis, Council reconvened in an open session at approximately 7:31 p.m.

**Minutes** Council President Rose noted the agenda session minutes for September 27, regular session minutes of October 1<sup>st</sup> and closed session minutes for September 27, 2018 will be considered for approval on Monday, October 15, 2018.

**Council Reports** Council President Rose offered council reports will be presented during the regular session on October 15, 2018.

**Mayor's Reports** Mr. Naples had no report.

**Discussion** **MAYOR'S VETO OF ORDINANCE NO. 18-19**

Council President Rose read the resolution by title.

**RESOLUTION OVERRIDING THE MAYOR'S VETO OF ORDINANCE NO. 18-19 ENTITLED "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"**

Mr. Naples had no comment.

Councilman Pedroso thanked Council President Rose for putting this resolution to override the Mayor's veto in for action during this session. Councilman Pedroso read the following statement:

Bridgewater Township was originally created by Royal charter in 1749. That date is reflected on our Town's seal, proudly displayed behind me and over my head in this Council chamber. Bridgewater was incorporated as one of the 104 initial towns by the NJ Legislature in 1798. And, during the 19th century, pieces of the town were used to form Bound Brook, Branchburg, Somerville, Raritan and Warren.

The Middlebrook encampment was the location where the first official flag of the United States was unfurled in 1777. By special order of Congress, a Thirteen Star Flag is still flown 24 hours a day at the Washington Camp Ground.

The natural water spring located on the Wemple property, recently acquired by the township for open space preservation, is believed to have been used by Gen. George Washington's troops and horses during the Revolutionary War.

Bridgewater Township is also home to the Van Horne House and the Van Veghten House, also dating back to the 1700's with links to the Revolutionary War's

history.

Bridgewater's significance to America's and New Jersey's history is undisputed. So why is the adoption of an Ordinance which sole purpose, as described in the Whereas, is "to engage local residents in the effort to preserve Bridgewater's history for future generations", in such contention and the subject of debate today?

The main dissenters of the passage of this Ordinance are the Mayor, who vetoed the vote, and Council President Christine Rose, who has been a vocal opponent of this Ordinance from the beginning. Yesterday on a community Facebook group, the Council President said, I quote, "I was not opposed to the 'what' (the Historian and the Committee), but had serious concerns about the 'how'." The "how" questions are, quote, "where will things be kept, who decides if a[n] item that someone wants to donate has historical value, etc."

I believe that a reasonable person with reasonable understanding of historic preservation would be able to answer any of these questions. Nonetheless, I provided Council President Rose with detailed answers to her questions in an email on September 25th. This Ordinance creates a first step, a step whereby the first historian in the township's 269 year history, is appointed. I envision that the Historian's initial role would include:

(1) inventory what historical documents the township already possesses, how and where they are currently being stored, and make recommendations as to how these documents should be stored; (2) search for any literature and/or publications that may exist in the public domain regarding Bridgewater's history and make a directory; (3) locate an area for the storage of paper documents and establish a temporary storage container for donations; (4) prepare a strategy for informing the public of the Historian's existence and the government's willingness to accept donations of historical document(s); (5) preparing a map of areas of historical significance cross referencing information and documents/donations/etc.; (6) identifying individuals in Bridgewater that may be able to provide historic information; (7) make introduction, communicate, and coordinate with other groups, nearby townships, and the county; and (8) prepare a plan for what may be needed to complete these tasks.

Both the Mayor's veto Memorandum, as well as Council President Rose, have raised a concern about potential costs. This is surprising considering both Mayor Hayes and Council President Rose have routinely advocated for higher taxes and increased spending. Nonetheless, this concern about potential costs lacks any reasonable merit. First, there are no anticipated expenses associated with the Historian's initial tasks as previously described. Second, should the Historian

report back with a recommendation that the township make a purchase, no spending can take place unless this very same governing body approves the spending. And, third, any reasonably anticipated expenses, such as the purchase of a safe as Council President Rose mentioned at the last meeting, are small and still subject to this governing body's approval.

Currently, in this Administration building, Bridgewater Township has its original and only minute and budget books. These books, handwritten, have entries that go back to 1854. These are priceless, highly important documents that archive our town's history.

The Council President has mentioned that an appropriate storage compartment for these historic books may cost \$4,000 as an argument against supporting this Ordinance. I can tell you now, that I would support spending \$4,000 to appropriately store the only copy of Bridgewater's handwritten historic minute books that go back to 1854. And, irrespective of the politics surrounding this Ordinance that we are discussing here today, I implore on the Mayor and this governing body to take the steps necessary to safeguard these documents before it's too late. It would be a great disservice to the public good if these books were destroyed by damage or simple neglect.

The Council President has referenced here and in public that there are two other groups already established that, according to her, may be duplicating some of the tasks of the proposed Historian, specifically, the Friends of Bridgewater History and the Mayor's ad hoc historic committee. The Council President is a member of both of those groups.

The Friends of Bridgewater History is a private, 501(c)(3) charity organization, incorporated I believe last year. And this year, after I raised the need to establish a municipal historic committee, the Mayor created an ad hoc committee to discuss and consider potential historic real estate acquisitions.

These two groups do serve important functions, but they do not have the ability to do many of the Historian tasks that I outlined before. The Friends of Bridgewater History is a private group, made up of great volunteers, but their future is only as solid as commitment from future members. Members of the public may not feel comfortable or willing to donate important historic artifacts to a newly created private group. And the Mayor's ad hoc committee is by the very nature of an ad hoc committee a temporary group looking to provide advice to the Mayor on a specific issue. Neither of these two groups can serve the function of a permanent, official municipal Historian.

I have maintained that a Historian and a History Advisory Committee can serve

an important government function for many reasons.

There are many, many municipal governments that have established historians and historic committees. In fact, most of our own neighboring towns have agreed that having a municipal historian or historic committee is an important obligation of government. For example, Bedminster, Bound Brook, Branchburg, Franklin, Peapack-Gladstone, Raritan, Somerville, Warren, and even Somerset County, all have done so. Some of these towns also have private, non-governmental groups focused on history preservation, and have shown how working together they can accomplish so much more.

One only needs to look at the way Bridgewater township describes its history on the town's website to see how we need a historian. A historian will make sure that our current municipal-owned historical documents are appropriately safeguarded, that our town's history is preserved, that historical materials such as photographs and documents can be stored, that our history is shared (such as through our website), that the town can get access to historic grants, and that there's a long-term plan for our history's preservation.

And history is not just about the distant past. Today's important events and activities are tomorrow's history. The historian will also be able to gather and safeguard items and documents that may be important for future generations. The town's Historian is a start. He or she will start the process to make sure that our future generations will be able to examine the artifacts, value the images, and study actual documents. The Mayor defines this Ordinance and the preservation of history as "an unnecessary and ill defined expansion of municipal government." I beg to differ. Preserving our heritage and our culture, and preserving our history for future generations is precisely an obligation bestowed upon us as governing officials.

I think it is a shame that Mayor Hayes exercised his first veto while serving as mayor for almost 7 years on an Ordinance that did nothing more than create a group of town volunteers that would be focused on preserving our town's history. His reasoning in a 4 sentence Memorandum is poorly supported. There are no unbudgeted costs. There is no current permanent, municipal custodian of our town's history. And preserving history is not an unnecessary and ill defined expansion of municipal government.

Today, I ask for this governing body to have the courage to do what's right. History will judge us by our actions here today. Will you succumb to political pressure, or do the right thing? I ask you to put aside your personal bias in favor of certain groups. I ask you to put aside your political agendas. I ask you to put aside your personal feelings. This Ordinance does the right thing. Protecting our

precious historic documents, providing a place for safekeeping of historic artifacts, and preserving our history for future generations is the right thing. Tonight, I ask you to vote in favor of preserving Bridgewater's history.

Councilman Moench spoke in support of overriding the veto and encouraged the other members to sit collectively with Administration and Council to find a way to move forward and begin the process to put the committee in place. He expressed once created, it brings together true legitimacy and commitment of the council.

Council President Rose took objection to adopting this ordinance and instead feels a committee should be selected in an effort to devise a plan and then propose an ordinance to codify what the historic preservation and historian have encapsulated for their vision. Council President Rose maintained her indifference is not that the township shouldn't have the committee but in fact how it will be implemented. She added that no one should put in doubt her commitment to the cause as she has always been a supporter and has encouraged safeguarding the township's history and relics.

Councilman Norgalis stated the Mayor's objection seemed to suggest Council President and Councilman Kurdyla agree with him that this ordinance would represent an unnecessary expansion in government.

Council President rebutted that statement.

On motion of Councilman Pedroso, seconded by Councilman Moench, the foregoing resolution to override the 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 RESOLUTION TO OVERRIDE THE VETO FOR HISTORIC PRESERVATION FAILED.**

A copy of resolution [#18-10-11-267](#) is appended to the official minutes.

### **PUBLIC SAFETY**

Council President Rose stated the discussion on Public Safety will be held during

the October 15, 2018 regular session.

**Public  
Comment**

On motion of Councilman Norgalis, 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.

No one wished to be heard.

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 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.

Council had no questions regarding the foregoing ordinance.

**Ordinances  
for  
Introduction**

**AN ORDINANCE OF THE TOWNSHIP OF BRIDGEWATER AMENDING SECTION 126-321.6 OF THE BRIDGEWATER TOWNSHIP CODE, REDEVELOPMENT SPECIAL ECONOMIC AND EMPLOYMENT DEVELOPMENT DISTRICT, SECTION 126-321B, PRINCIPAL PERMITTED USES ALLOWING FOR A DRIVE-THROUGH IN LIMITED CIRCUMSTANCES**

Councilman Norgalis had requested the Governing Body to introduce this ordinance during the agenda session because it had been delayed prior.

Councilman Norgalis stated this ordinance is part of the Advance Realty Developer. He noted the township's current ordinance does not permit any drive-through within the township boundary and as such reported the Planning Board is not in a position to approve. However, Council can make that approval in a redevelopment agreement.

Councilman Norgalis asked for a modification to the redevelopment agreement for a single drive through to service a café in the south east corner of the property. He added there is another issue with the application regarding placing a traffic light on Route 202/206 but they are still negotiating with NJDOT.

Councilman Pedroso stated that consistent with his prior opinion, he continues to believe this is the single worst project in Bridgewater history and added this application is better suited in a more urban area such as Hoboken. As such he does not support the project at all and will not vote in favor of this drive through.

Councilman Moench asked if the hours of operation can be limited.

Councilman Norgalis stated that matters such as hours of operation, lighting and landscaping are all topics to be further addressed with the planning board as part of the site plan approval process.

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	Aye
Council President Rose	Aye

**THE ORDINANCE WAS INTRODUCED.**

A copy of resolution [#18-10-11-268](#) 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 8<sup>th</sup> day of November , 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 forward this ordinance to the Bridgewater Township Planning Board for their meeting to be held Monday, October 22, 2018 to review and prepare a recommendation.



**Resolutions**

Council President Rose asked whether Council had any comments on the resolutions listed below.

**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) BULLETPROOF VEST 2018 AWARD \$17,690.00**

**ESTABLISHING PLENARY RETAIL CONSUMPTION LIQUOR LICENSE PURSUANT TO HOTEL/MOTEL EXCEPTION - FOR THE BRIDGEWATER LODGING GROUP BRIDGEWATER, LLC OPERATING AS AC HOTEL BY MARRIOTT, 600 SOMERSET CORPORATE BOULEVARD, BRIDGEWATER, NEW JERSEY 08807**

Councilman Norgalis requested the \$100,000 be added to the heading.

**AUTHORIZING EXECUTION OF A REVISION TO A DEVELOPER'S AGREEMENT BETWEEN THE TOWNSHIP OF BRIDGEWATER AND BRIAD DEVELOPMENT, LLC FOR A HOTEL AND RESTAURANT AT BLOCK 411, LOT 39.02, LOCATED AT 100 CORPORATE CENTER BOULEVARD IN THE BRIDGEWAER REGIONAL CORPORATE CENTER ZONE**

**AUTHORIZING THE EMPLOYMENT OF MATTHEW D. JESSUP OF THE LAW FIRM OF McMANIMON, SCOTLAND & BAUMANN, LLC, 75 LIVINGSTON AVENUE, ROSELAND, NJ 07068 AS SPECIAL COUNSEL TO REPRESENT THE TOWNSHIP OF BRIDGEWATER WITH REGARD TO TAX ABATEMENT AND TAX EXEMPTION FOR PROJECTS COMMONLY REFERRED TO AS PATRIOT GREENS KNOWN AS BLOCK 329, LOTS 3.01, 13.01 AND 14 FRONTING ON EAST MAIN STREET WITH FEES TO BE PAID FROM ESCROWS ESTABLISHED BY THE REDEVELOPER OF THE AFORESAID PROJECT**

**AUTHORIZING CHANGE OF SCOPE TO THE PROFESSIONAL SERVICES CONTRACT, INCREASING THE CONTRACT PRICE BY THE SUM OF \$4,464.40, FOR THE RESUMPTION OF PROFESSIONAL ENGINEERING AND CONSTRUCTION SUPPORT SERVICES, FOR THE DELLWOOD ROAD IMPROVEMENT PROJECT, CONTRACT PRICE WITH IH ENGINEERS, P.C., 103 COLLEGE ROAD EAST, 1ST FLOOR, PRINCETON, NJ 08540 FROM THE PRICE OF \$54,987.93 TO \$59,452.33 FUNDED THROUGH THE 2018 CAPITAL FUND**

**EXTENDING SUNDAY HOURS OF OPERATION FOR PLENARY RETAIL DISTRIBUTION LICENSES INCLUDING WEGMANS MARKETS, SPIRITS OF THE VALLEY, KRISHA BEVERAGE AND BUY BEST WINE AND LIQUORS FOR SUNDAY, NOVEMBER 18, SUNDAY, DECEMBER 23, AND SUNDAY, DECEMBER 30, 2018**

**AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE SOMERSET**

**COUNTY CULTURAL AND HERITAGE COMMISSION FOR THE LOCAL ARTS PROGRAM (LAP) FUNDED BY THE NEW JERSEY COUNCIL ON THE ARTS IN THE AMOUNT OF \$1,210 FOR THE PURPOSE OF CREATING TWO MURALS LOCATED AT KIDS STREET PARK**

Council President Rose advised the Creative Arts Committee was working on this project prior to Chris Poulsen's passing. This grant will provide funding to purchase the paint needed for the murals to be placed at the kidstreet playground.

Councilman Norgalis suggested a consideration should be made to dedicate to Chris Poulsen.

Council President Rose stated that was a consideration during their discussions.

**Motion to Set Agenda**

On motion of Councilman Moench, seconded by Councilman Kurdyla, the agenda was set for the October 15, 2018, Township Council regular meeting.

On the motion of Councilman Norgalis, seconded by Councilman Moench, the meeting adjourned at approximately 8:02 p.m.

Respectfully Submitted,

Linda J. Doyle, RMC  
Municipal Clerk

---

Christine Henderson-Rose  
Council President