

**MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
OCTOBER 15, 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.

Minutes

SEPTEMBER 17 AND OCTOBER 1, 2018 - REGULAR SESSION

On motion of Councilman Norgalis, seconded by Councilman Kurdyla, the September 17, 2018 and October 1, 2018 regular session minutes were moved for approval and passed unanimously on a voice call vote.

SEPTEMBER 27, 2018 - AGENDA SESSION

On motion of Councilman Norgalis, seconded by Councilwoman Rose, the September 27, 2018 agenda session minutes were moved for approval and passed unanimously on a voice call vote.

Council Reports

Councilman Kurdyla:

- It was his pleasure to attend the annual township firemen's inspection on October 6th. This year, the inspection was hosted by Martinsville and held at the Elks in Finderne. The apparatus award went to Martinsville and the Manpower award went to Country hills.

Councilman Norgalis:

- The Woodmont Senior Citizens complex on 202/206 just north of the

Center of Excellence has been sold for \$32M. There will be no change in function at that location.

- Attended the Executive Session of the Somerset County 200 Club. Plans are under way for the first responder recognition luncheon on November 7th.
- Attended the October meeting of the Somerset County Governing Officials. The main speakers were Governors Cabinet Level Shared Service Co-Czars Nicolas Platt and Jordon Glatt. The state is making a big push for shared services as well as consolidation.
- Worked as a volunteer at the Somerset County drive thru Flu clinic in Hillsborough. I have volunteered at every one of them since 2006. The County will have an additional drive thru flu clinic at the ballpark, weather permitting on Saturday Oct 20th from 9am to noon. Flu shots are FREE to all County residents 18 years or older.
- The Planning Board heard a case for two more hotels on Route 22, a 13 acre site of the former Days Inn. They will be a 103 room Springhill Suites and a 127 room Residence Inn by Marriott. Restaurants include a PF Chang and a Chipotle Grill.

Councilman Pedroso:

- Nothing new to report.

Vice President Moench

- Just attended the Bridgewater-Raritan education foundation event at the Bridgewater Manor. This Foundation raises money to support grants for teachers with special projects and items they are doing in the classroom. It was a great and well attended event.
- Has received several complaints that the gentlemen hired to conduct professional appraisal inspections in the township go into people's yards without them being home and without prior approval to do so. Township Administrator Naples confirmed they are not permitted to do this and will follow up with the residents whose properties were trespassed.
- Would like the Council to consider the following Ordinances at the next Council meeting. He requested that the township attorney prepare Ordinances for review concerning same:
 - Adopt revisions to the library advisory board ordinance in order to clarify the role and responsibility of the library advisory board in

terms of requiring them to adopt bylaws, keeping minutes and providing the council with reports on their recommendations to the County library.

- Last year, the township sent out letters to some residents advising them to remove basketball hoops from their yards in instances where they are blocking the streets for the snow plough. The letter stipulated the residents would otherwise be subject to penalties including jail time per township ordinances. Councilman Moench opined the way the ordinance is written could be construed as being unconstitutional and would like same amended before the winter months are upon us.
- 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.
- Councilman Moench stated that Councilman Norgalis had raised concerns about monies associated with the housing rehab with regard to what looks like expenditures that were being made in a manner not in conformance with proper procedures in terms of who is signing them, the bidding process etc. He stated he would like administration to put together a report as to all the bids that have been given out by the housing advisory board this year and possibly pull the files on some of those to take a look at whether there are other irregularities with regard to how they are being processed.
 - Township Administrator Naples stated he is not aware of any irregularities. He explained that these applications follow the required procedures adding there is a manual for the projects with which they are to follow including following the proper purchasing procedures with regard to getting quotes and letting out the contracts. Township Administrator Naples explained that since our COAH funding was approved, we have tried to expand our rehabilitation program and offer that to as many residents as possible. We have also advertised this program on the newspapers and therefore applications have started to trickle in.
 - Councilman Norgalis stated that some of the signed documents do not have a legible signature and suggested it is good audit practice what when someone is a signatory, their names should be spelled

out somewhere in the document. He added the department head signature should indeed be that of the department head.

- Township Attorney Savo stated those awards are given pursuant to regulations approved by COAH. A packet was put together a number of years ago, it was approved by COAH and that is how awards are given. He added the Township does not enter into contracts; they give awards.

Council President Rose

- Had the opportunity to attend the Friends of Bridgewater History meeting.
- She met with the Girl Scout that wants to do her gold award around historical preservation. Her project will focus around one of the two houses that we currently own. More information will soon be forthcoming.
- Had the opportunity this weekend to do the 'Weekend Journey through the Past' where she visited the Jacobus Vanderveer House as well as the Abrahams Staats house.
- There will be two town hall meetings to discuss the referendum that will be before the voters in November to be able to use 25% of the current open space trust fund for historic preservation as follows:
 1. Thursday, 10/18/2018 in the courtroom at 7:30pm
 2. Wednesday, 10/24/2018 at Martinsville Community Center at 7:30pm

Mayor's Reports

Mayor Hayes attended the annual fire departments inspection. He congratulated all the men and women involved in this endeavor for their hard work, time and effort.

Discussion

PUBLIC SAFETY

Mayor Hayes gave the following stated:

There is no greater responsibility that we have as a Township and governing body than to provide for the public safety of our residents. To do that, we count on Police Chief Al Nicaretta and his department to lead that effort. Tonight, we will hear how the chief and his team over the past several months have been looking at how we meet those requirements and how we need to meet those requirements moving forward. Tonight, they have a report they would like to issue as it important for the governing body to see what the Chief's

recommendation is in order to continue to deliver the kind of service that our residents expect and we should be committed to provide.

The presentation tonight is divided into a couple of different parts. The chief will provide as much information as he can to the public. There is however some parts of the presentation that because of the logistics of safety and safety operations will be done in closed session.

The presentation will begin with a public presentation and then the chief will request a closed session where he will present details that are safety sensitive that the governing body needs to be aware of and then the meeting will return to open session for the close of the presentation.

Police Chief Al Nicaretta was present and thanked the governing body for this opportunity to discuss the current condition of our police department. He stated there have been major changes to the township over the past 13-years noting the township has witnessed growth in all areas. He stated that while the police department welcomes the township's expansion without question, with this expansion comes the need to increase our staffing levels in order to provide safe working conditions for our officers and to maintain essential and quality services for our residents and the visitors of our township.

Police Chief Nicaretta stated that commercial growth alone is exploding noting it has been dramatically expanding over the past five years. The center for excellence on Route 202/206 when completed is going to need a mini police force in his opinion. He then offered the following examples of the commercial growth Bridgewater has experienced: The mosque on Route 206, Frontier Road expansion, Chimney Rock development, senior living expansions and the two (2) hotels at the Days Inn site.

Chief Nicaretta stated his staff has complained about how difficult it is to maintain a level of professional services for the residents and to answer and cover calls in a timely basis. He stated there isn't enough staff to handle the calls and that we are in dire need of hiring more police officers.

Police Chief Nicaretta offered that he sat down with his administrative staff and took a closer look at the problem and this is what they found:

- There is one officer responding to calls that require 2-officer response for situations such as domestic violence, burglar alarms, suspicious people etc
- Officers are breaking from calls to handle emergency calls. For instance if

an officer is taking a report for a theft or mischief, an emergency call like fire or CPR creates the need to break away from that call to respond to the emergency call.

- We have cars responding all over the town. A Finderne car may have to respond to Bradley gardens etc on both regular and emergency calls
- Dispatch stacking non-emergency calls for service (CFS) leads to prolonged response times and this eventually breeds citizen complaints
- Officers are not being dispatched to certain minor medical and fire calls for service (CFS)
- Officers are responding from call to call which leads to physical and mental fatigue and eventually leads to diminished lack of officer safety.

Chief Nicaretta discussed the impact as follows:

- Decreased officer safety
- Reduced essential services
- Negative outlook on the police department
- Negative outlook on the township

Chief Nicaretta also stated that while the number of police officers has remained constant at 77 since 2005 to present, the population has increased by about three thousand, the number of calls for service have increase by 8,000 and the time spent per call has increased due to attorney general mandates and the mandates and directives from the Somerset county prosecutor's office. He added the police department has been directed to investigate more and have to fill out more reports for this calls which leads to more time spent during the calls.

Police Chief Nicaretta also discussed increased call time following the bail reform. He further addressed the additional administrative and union responsibilities which take police officers off the road. These include specific job training and 198 hours of mandatory training for each police officer in a 3-year period. Additionally, he discussed the vacation and sick time that the police officers take in a given year.

Chief Nicaretta discussed issues with the school district. In 2016, there were 670 calls for service. In 2017, the calls almost doubled. The police department then realized they were not doing enough for the school district and therefore implemented a system where during the course of the day, with the minimal down time that is currently there, police officers walk through the schools. They

sign in at the main desk, and then perform a quick security sweep. Any reports that need to be written are done at the school's parking lot for police presence and added protection.

At this point in the presentation, Police Chief Nicaretta requested that the remainder of this presentation be done in closed session.

Due to the public present, Council agreed to open the meeting to the public before going into closed session.

**Public
Comment**

On motion of Councilman Kurdyla, seconded by Councilman Norgalis, 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.

Boy Scout Samin of 22 Field Street was present from Troup 88 for his citizenship and community badge.

Ryan O'Connor, 111 Leghorn Ave was present. He stated there is a road job along Leghorne that is in chaos noting there is a very serious issue with the debris on the roadway. Mr. O'Connor stated that vehicles are breaking down and residents with knee problems are distressed. He added there has been very little response in his dealings with the engineering department. Township Administrator Naples stated there is a plan to restore the road by the end of the month. Mr. Naples will follow up with Mr. O'connor to address his specific concerns.

Thomas O'Connor, 133 Leghorne Avenue was present. He reiterated his concerns are in line with the concerns expressed by his son. He added he has had to replace three (3) tires due to the ripped roads. Township Administrator Naples will look into this issue.

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

**Closed
Session**

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

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 8:16 p.m.

A copy of resolution [#18-10-15-278](#) is appended to the official minutes

On the motion of Councilman Moench, seconded by Councilman Norgalis, Council reconvened in an open session at approximately 8:42 p.m.

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

Police Chief Nicaretta fielded questions from the governing body. Council discussed at length their concerns about the Chief's proposal and the impact it would have on the budget and/or taxpayers. They questioned whether hiring of the new officers would be done in phases in order to minimize impact. Council also asked that administration provide various reports including a five year police call breakdown by year with major police call categories listed, in order for them to better understand the proposal and the impact it will have on the Township including studies of other towns similar to Bridgewater and how they compare. Administration was in agreement to provide said reports.

**Public
Comment**

On motion of Councilman Moench, seconded by Councilman Norgalis, 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.

Michael Zanowski, Vice President of the PBA 174 was present. He advised that a lot of the issues that the police department is having with regards to extended periods of wait time for police arrival at resident homes has to do with the township switch to the County 911 dispatch. He expressed he was speaking on behalf of the union as they do not feel that the transition to County dispatch is

working for the police or residents. Council requested that the Mr. Zanowski put the concerns of the PBA in writing for the Council to review.

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

Council President Rose left the meeting. The meeting was chaired by Councilman Moench.

**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"

On motion of Councilman Pedroso, 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 Pedroso, the public comment portion was closed.

On motion of Councilman Norgalis, 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	Absent

THE ORDINANCE WAS ADOPTED.

A copy of resolution [#18-10-15-277](#) is appended to the official minutes.

Resolutions

There being no questions concerning the following resolutions, Acting Council President Moench 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) 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

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

On motion of Councilman Norgalis, 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	Absent

THE RESOLUTIONS WERE ADOPTED.

Copies of resolutions [#18-10-15-269 thru #18-10-15-273](#) are appended to the official minutes

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

Councilman Kurdyla made motion to table this resolution, seconded by Councilman Moench. The vote was as follows:

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

The motion to table failed.

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

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

THE RESOLUTION FAILED.

A Copy of resolutions [#18-10-15-274](#) are appended to the official minutes

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

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

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

THE RESOLUTION WAS APPROVED.

A Copy of resolutions [#18-10-15-275](#) are appended to the official minutes

AUTHORIZING SETTLEMENT OF LITIGATION INSTITUTED BY MICHAEL AVANT AGAINST THE TOWNSHIP OF BRIDGEWATER IN THE AMOUNT OF \$460,000;

\$75,000 BEING THE DEDUCTIBLE PORTION OF THE TOWNSHIP'S INSURANCE POLICY, \$77,000 IS BEING PAID BY THE TOWNSHIP WITH THE BALANCE OF THE SETTLEMENT BEING PAID BY THE TOWNSHIP'S INSURANCE CARRIER.

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	Absent

THE RESOLUTION WAS APPROVED.

A Copy of resolutions [#18-10-15-276](#) are appended to the official minutes.

Adjournment

On the motion of Councilman Norgalis, seconded by Councilman Pedroso, the meeting adjourned at approximately 9:35 p.m.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Christine Henderson-Rose
Council President