

**MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
FEBRUARY 21, 2019 COUNCIL CHAMBERS**

Council President Moench 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
Filipe Pedroso
Christine Henderson-Rose
Council Vice President Howard Norgalis
Council President Matthew C. Moench

Also Present: James T. Naples, Township Administrator
William B. Savo, Township Attorney
Linda J. Doyle, Township Clerk

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

Minutes

FEBRUARY 4, 2019 - REGULAR SESSION

On motion of Councilman Norgalis, seconded by Councilwoman Rose, the February 4, 2019 regular session minutes were moved for approval and passed unanimously on a voice call vote.

Council Reports

Councilman Kurdyla:

- Attended the Chinese New Year Celebration.
- Took the opportunity to vote at the Fire Districts' Elections on February 19th.

Councilwoman Rose:

- Voted at the Fire District #1 Election and was pleased to report that the budget passed and the two candidates running were re-elected.

Council Vice President Norgalis:

- Congratulated Council President Matthew Moench who was unanimously selected by the Bridgewater Republican Municipal Committee to be the

Republican candidate for Mayor in the Fall election.

- Attended the Zinburger Grand Opening at their newest location at 550 Somerset Corporate Drive. It is attached to the hotel which is still under construction. For those not familiar with the Zinburger name, Councilman Norgalis advised it is somewhat of a sports bar and hamburger establishment.
- Attended the Valentines breakfast sponsored by the Somerset Vocational and Technical High School culinary department.
- Plans to attend the Somerset County Employer Legislative Committee (aka ELC) meeting tomorrow where Freeholder Brian Levine is the featured speaker
- There are no pending applications before the Planning Board so the Monday, February 25th meeting is cancelled.

Councilman Pedroso

- Congratulated Council President Matthew C. Moench for getting a unanimous endorsement in the Bridgewater Republican Municipal Committee for Mayor.

Council President Moench

- Looking to obtain a meeting with the Board of Education regarding the pilot resolution. He has reached out to the school superintendent but has not heard back from him. He will keep everyone advised moving forward.
- Has been working with the residents on Washington Valley Road about their concerns over the County taking an easement which is significantly greater than the residents understood that easement to be. Councilman Moench stated he had asked the County to attend a meeting of the Council in order to brief the governing body on this issue but they declined to do that.

Councilman Moench continued this discussion with Mayor Hayes by asking for the Mayor's stand. Mayor Hayes offered that at this time, this is a legal dispute and was therefore not able to provide information about the legalities of that dispute. Council President Moench stated he did not think the County should be taking the resident's land before proving definitively to the residents of their right. He added the local government should stand up on behalf of the residents and advocate for them.

**Mayor's
Reports**

Mayor Hayes

- Was pleased to have attended several of the Chinese New Year celebrations

**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.

Frederick Stevens, a student at Rutgers University was present due to a requirement in his public policy class. He asked whether or not he could record the meeting and was advised that he could, but that the Township Clerk can also provide him an audio recording of this meeting.

Ruth Rochelle, 134 Warren Ave was present. She spoke regarding the Ordinance to amend the "No parking" Ordinance on Warren and Marlin Street. She provided a history of how the Ordinance came to be noting that she and her husband brought this issue to the Council last July and subsequently, the Council in November approved the Ordinance. They cited their neighbor was using the street for primary parking which was creating a difficulty and in some cases hazardous situations.

At the December 17th meeting, some of the neighbors that were either directly or indirectly affected by the Ordinance came to the Council meeting to complain. Ms. Rachelle stated it is necessary to clarify that she and her husband gave everyone the option to review pictures, messages and ask questions in those prior meetings but questions were very limited and the Ordinance went through with a unanimous vote. It was never their intention to have the entire area a "no parking" area but this was the only option they were given at the time. Ms. Rachelle stated that since the ordinance was approved, the neighbor has been using the driveway for primary parking and the streets for true overflow which is appreciated. This she felt come as a result of the Ordinance and the attention that was given to the situation.

Ms. Rachelle thanked Township Administrator Naples and Councilwoman Rose for putting together a meeting to try and work out a better resolution to this problem which showed the town does care about its residents. They believe the options presented at the meeting will potentially alleviate the situation. She added if the Ordinance is rescinded, she expressed concern that things will go back to the way they were until a final decision of fixing the situation is made.

Ms. Rachelle discussed the request of Police Office Chief Nicaretta for additional

staff. She stated that while she appreciates that the Council’s responsibility is to be fiscally responsible, she opined the chief presented good reasons for needing more police officers. She added he also provided a good option that if it is determined additional staff are not necessary, the soon to retire police officers will not be replaced. Ms. Rachelle offered the short term expense before a final determination is made by the consultant as to whether or not additional police officers are required is minimal. She added in her experience, consultants are very expensive and look to cut cost and not improve the situation. She asked that Council revisit this matter and give the Police Chief the additional staff he is requesting noting the safety of the residents is more important and the Police Chief had very good short term fix.

Scott Hobbs, 20 Deer Run Drive was present. He echoed Ms. Rochelle’s thoughts regarding the request of the Police Chief. He offered that as a retired police officer, he can speak on the need of additional police staff. He listed a prior consultant had proposed between 100-110 officers but it was later determined that 75 officers would be sufficient with lieutenants working in every shift. Mr. Hobbs listed the additional developments in Bridgewater to reiterate the need for additional officers and how some programs have been cut or removed as a result of not having enough police staff. Mr. Hobbs gave a lengthy discussion about the need for additional officers while giving examples from his experience in the police force.

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

**Public
Hearing &
Final Action
Ordinances**

AN ORDINANCE AMENDING CHAPTER 126 ENTITLED “LAND USE,” TO CREATE A NEW PART 15 ENTITLED “REDEVELOPER AGREEMENTS,” ARTICLE LI ENTITLED “CONTRIBUTION TO ELECTION CAMPAIGNS,”

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 Pedroso	Aye

Councilwoman Rose	Aye
Council Vice-President Norgalis	Aye
Council President Moench	Aye

THE ORDINANCE WAS ADOPTED.

A copy of resolution [#19-02-21-061](#) 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 TWO (2) ADDITIONAL POLICE OFFICERS

Councilwoman Rose stated she believes strongly in the safety of our residents, police officers and those people that go through our borders. She offered Council has an obligation to provide our residents with an exemplar police department and is troubled that Council had decided not to back the Township's law enforcement department. She added the Council's action for two (2) officers and to hire a consultant to provide a recommendation sends a clear message to the Police Chief and his Captains. Councilwoman Rose stated the Council has the opportunity to rectify the situation tonight and made a motion to allow employment of six (6) additional police officers.

Councilwoman Rose made motion to allow employment of six (6) additional police officers. The motion was seconded by Councilman Kurdyla. The vote was as follows:

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

The motion did not carry.

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

Councilman Pedroso stated he cannot support the request for additional officers

without knowing how many officers the department really needs. He added he will act appropriately once the consultant provides a definite number. At this time, he felt the data provided does not support the need for additional officers.

Councilman Norgalis stated he was part of the subcommittee that met with the Police Chief so as to get to the bottom of this matter. He was looking for additional details at which the Police Chief responded he did not have all the facts. Councilman Norgalis stated he needs the facts so that when he is spending taxpayer money, he is confident that he is making the right decision.

Council President Moench offered the Township should resolve contract issues with the police force before moving forward because the contract will impact how much hiring additional officers is going to cost. He echoed Councilman Norgalis about data not supporting the need. At this time, he offered the idea is to start with two (2) officers to get the process moving while we wait for the consultant to get us to understand the data.

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

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

THE ORDINANCE WAS ADOPTED.

A copy of resolution [#19-02-21-062](#) is appended to the official minutes

AN ORDINANCE AMENDING CHAPTER 206 (VEHICLES AND TRAFFIC), ARTICLE XIV (SCHEDULES), SECTION 206-29 ENTITLED SCHEDULE I: NO PARKING OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER SO AS TO PERMIT PARKING ALONG EITHER SIDE OF MARLIN STREET (ENTIRE LENGTH) AND WARREN AVENUE (ORCHARD STREET TO NORTH END)

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

No one wished to be heard.

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

Township Administrator Naples stated he met with the neighbors of Warren and Marlin Street. They discussed several possible solutions that he hopes will permanently solve the problem. While there is a cost to it, there are funds to mitigate the issues which will commence as soon as the weather breaks.

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

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

THE ORDINANCE WAS ADOPTED.

A copy of resolution [#19-02-21-063](#) is appended to the official minutes

Ordinances
for
Introduction

AN ORDINANCE AMENDING CHAPTER 126 (LAND USE), ARTICLE XLV (SUPPLEMENTAL REGULATIONS GOVERNING CERTAIN USES), SECTION 126-335 ENTITLED RENEWABLE ENERGY FACILITIES OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER SO AS TO PERMIT RENEWABLE ENERGY FACILITIES ON DETACHED RESIDENTIAL GARAGES

Council President Moench stated Resident Curtis Kraut appeared before the governing body a few weeks ago and explained the way our ordinance was written would disallow him from putting up solar facilities on his detached garage. This Ordinance will clarify the Council's intent.

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

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

THE ORDINANCE WAS INTRODUCED.

A copy of resolution [#19-02-21-064](#) 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 18th day of March, 2019, 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; and

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 March 12, 2019 to review and prepare a recommendation.

Resolutions

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

AWARD OF CONTRACT TO SIGNAL CONTROL PRODUCTS INC. OF 199 EVANS WAY, BRANCBURG NEW JERSEY TO UTILIZE THE SOMERSET COUNTY COOPERATIVE PRICING SYSTEM CONTRACT #CC-0116-17 TO PURCHASE EQUIPMENT FOR TRAFFIC LIGHT IMPROVEMENTS IN THE AMOUNT NOT TO EXCEED \$62,000.00 APPROVED 2018 CAPITAL

AWARD OF CONTRACT TO JTG CONSTRUCTION, INC. (188 JEFFERSON STREET, SUITE 387, NEWARK, NJ 07105) FOR THE PINE STREET SANITARY SEWER REHABILITATION PROJECT, IN THE SUM OF \$848,573.00, FUNDED THROUGH THE 2017 CAPITAL SEWER FUND

AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE, ACCEPTANCE OF THE SITE IMPROVEMENTS, ACCEPTANCE OF THE MAINTENANCE GUARANTEE FOR BRIDGEWATER REGENCY, LLC, CHIMNEY ROCK ROAD EAST, BLOCK 730, LOT 1.01

AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE, ACCEPTANCE OF THE SITE IMPROVEMENTS, ACCEPTANCE OF THE MAINTENANCE GUARANTEE FOR BRIDGEWATER REGENCY, LLC, CHIMNEY ROCK ROAD WEST, BLOCK 711, LOT 6.01

RENEWAL OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE A PEARL, INC. LOCATED AT 600 EAST MAIN STREET, BRIDGEWATER WITH SPECIAL RULING N.J.S.A. 33:1-12.39 FOR LICENSING TERM 2018-2019

PERSON TO PERSON LIQUOR LICENSE TRANSFER OF PLENARY RETAIL

CONSUMPTION LICENSE NO. 1806-33-030-007 FROM BRIDGEWATER MANOR, LLC, A NJ LIMITED LIABILITY COMPANY LOCATED AT 1251 ROUTE 202/206 SOUTH TO BWATER MANOR, LLC, A NJ LIMITED LIABILITY COMPANY LOCATED AT 1251 ROUTE 202/206 SOUTH, BRIDGEWATER, NJ 08807 - NEW LICENSE NO. 1806-33-030-008

On motion of Councilman Kurdyla, seconded by Councilman Norgalis, the foregoing resolutions were proposed. The vote was as follows:

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

THE RESOLUTIONS WERE ADOPTED.

Copies of resolutions [#19-02-21-065 thru #19-02-21-070](#) are appended to the official minutes

**Closed
Session**

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

When and if the matters discussed become public record, this will be made known to the public at that time.

The public is excluded from said meeting and further notice thereof is dispensed with all in accordance with Sections 8 and 4a of the Open Public Meetings Act.

On the motion of Councilman Norgalis, seconded by Councilman Pedroso, Council convened in a closed session at approximately 8:20 p.m.

A copy of resolution [#19-02-21-071](#) is appended to the official minutes

On the motion of Councilman Kurdyla, seconded by Councilman Norgalis, the meeting reconvened to open session at approximately 8:30 pm and adjourned immediately thereafter.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Matthew C. Moench
Council President