

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
MAY 16, 2019 COUNCIL CHAMBERS

The Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, convened in a work session on Thursday, May 16, 2019 at 7:30 p.m. in Council Chambers in the Municipal Complex, Bridgewater, New Jersey 08807.

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, 2019 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 (Absent)
Council President Matthew C. Moench

Also Present: James T. Naples, Township Administrator
Natasha Turchan, Director of Finance
William B. Savo, Township Attorney
Linda J. Doyle, Township Clerk

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

Minutes

APRIL 15, 2019 - REGULAR SESSION
APRIL 15, 2019 - CLOSED SESSION
MAY 6, 2019 - REGULAR SESSION
MAY 11, 2019 - ROAD TOUR

These minutes will be considered for approval at the Monday, May 20, 2019 during the regular session meeting.

Council Reports

Councilman Kurdyla:

- Attended the County Community Block Grant meeting on May 8th
- Attended the Road tour to witness the road improvements being included in the 2019 Budget.

Councilwoman Rose:

- Will provide her report on Monday during the regular session meeting.

Councilman Pedroso:

- Will provide his report on Monday during the regular session meeting.

Council President Moench:

- Will provide his report on Monday during the regular session meeting.

**Mayor's
Reports**

Nothing new to report.

Discussion

EDEN WOODS

Council President Moench stated Councilman Norgalis had asked to have a discussion on Eden Woods with regard to the Council passing a “No Pilot” on this project, similar to the one prepared for the Center of Excellence (COE). It was noted that unfortunately, Councilman Norgalis was unable to attend this meeting.

Councilman Kurdyla offered that before making a determination that PILOTs will not be considered for this project, Council should consider the pros and cons of imposing the restriction.

Township Administrator Naples stated administration did some preliminary investigations and found the numbers did not warrant a PILOT. Council can pass the resolution but it will not be necessary.

Councilwoman Rose stated that 2-years ago when information was provided to the Council regarding PILOTs, it was done in closed session. She suggested that this information be offered to everyone, including the residents.

Councilman Pedroso expressed concern about overdevelopment and stated he is in favor of anything the Council can do to protect Bridgewater residents and preserve Bridgewater’s quality of life.

Council President Moench stated that while the PILOT issue concerning the Eden Woods project is moot, as a general rule, he does not support tax breaks to residential developers. He will reach out to Councilman Norgalis to inquire if he would like to continue discussions on this matter.

**Public
Comment**

On motion of Councilman Kurdyla, 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.

Resident Inderpreet Banga, 376 Route 28 was present. He stated that he moved to

Bridgewater about five years ago and the perception at the time was that the Mayor, Council, Planning and Zoning Board had the best interest of the residents. During this time however, there has been more development than ever perceived prior to living here and all this has happened with little input from the residents. He added the political discourse in Bridgewater has deteriorated as well. In that regard, he stated that five (5) established troops in Bridgewater have come together as a coalition to solve issues that have township wide importance. He announced they will target those issues they believe are detrimental to the long standing and sustainability of Bridgewater as we know it.

Mr. Bunga stated their first goal is to end the phrase “quality of life” as the empty tag line for the residents, stop our elected officials from continuing to increase traffic and halt the chaotic urbanization of our community, neighborhood by neighborhood. Their first target is reforming Mayor Hayes’ Planning Board which in their opinion is not protecting residents from overdevelopment and is the root cause of traffic and over urbanization in Bridgewater. He stated he was present on behalf of Bridgewater United which is a member of the Coalition.

Jeff Foose, 6 Forest View Drive was present. He was present on behalf of the Foothill Civic Association, a group in town that has been founded since 1925. He is very honoured to be serving with Bob Vaucher for the past 11-years and they are a member of the coalition.

Andrew Leven, 2 Holmes Court in Bridgewater was present. He stated he was present on behalf of two (2) groups that could not attend the meeting tonight but have authorized him to state for the record that they are also members of the coalition.

Andy Fresco, 15 Glen Eagles Drive in Bridgewater was present. He was present on behalf of Preserve Bridgewater to notify the Council that they are a member of the coalition and that Preserve Bridgewater is a coalition that can reach more than 5,000 residents in this community. The quality of life in Bridgewater has deteriorated to the point that they are aggressively looking for a solution that would better the town.

John Kulak, 13 Ramsey Street in Bridgewater was present. He stated that while the people of Finderne have not had an opportunity to join the coalition, they ascribe to the same values and goals that the coalition has set forth tonight as it is clear that there are several issues that need attention including urbanization, overdevelopment and increased traffic. He also discussed the PILOT program noting these programs in general are to provide an incentive to developers to develop in areas that are either in need of redevelopment or need assistance/incentive which has not been the case with the developments that we have seen. He opined Council should take action to make PILOT programs an

exception and not the rule and PILOT matters should be brought before the public for discussion before any action is taken.

Bob Vaucher, 449 Foothill Road was present representing the Foothill Civic Association. He has lived in Bridgewater for 70 plus years and has served as a lead community advocate in speaking against overdevelopment. He expressed concern over Foothill Road noting it has become a main thorough fare. He also stated he recently celebrated his 100th birthday, he is a WWII veteran having served in over 170 combat missions. As such, there will be on May 5th, 2020 the largest flyover in Washington DC where they have designated him to be the grand Marshall.

Resident Mahish Shadra was present. He expressed to Council that the appointments made to the Planning Board should be independent of the Mayor.

Katherine Franco, 766 Weemac Road was present. She expressed that she was disheartened by the Township Council and the residents who support the removal of the three planning board members. Ms. Franco stated that an agenda that has already been approved should not have additional items added to it at the last minute. She opined that Council president Moench should recuse himself on any votes regarding the center of excellence.

Larry Powers, 14 Campbell Court was present. He stated that resolutions 12g, 12h, and 12i supporting the removal of some planning Board members seem to be political grand standing. He opined it is offensive and believes that Planning Board members who volunteer their time can be impartial and fair in reviewing the application for the Center of Excellence.

Andrew Leven, 2 Holmes Court was present. He spoke in favor of resolutions 12g, 12h, and 12i supporting the removal of some planning Board members and hoped the Council will take action on them on Monday.

On motion of Councilman Kurdyla, seconded by Councilman Pedroso, the meeting was closed to the public.

Councilman Pedroso addressed the coalition stating that residents standing up for any issue regarding government is inspiring. He is proud of the groups' motivation and urged them to keep it up. He noted that the last 4-years, the township has been under attack by developers and that Mayor Hayes does not have the best interest of the township. He added that residents should not be afraid of the truth and should fight for the character of the town.

Councilwoman Rose stated she has never been involved in an organization or community where members of the community are hostile with one another. Regarding the coalition, there should be a collaboration and coordination where all five groups can meet openly to discuss their perspectives. These five groups

should embrace the residents in the entire township in order to gain perspective of everyone's point of view. She asked for the opportunity to be embraced. She also asked the Planning Board attorney be involved in same in order to provide his perspective.

Resolutions

AUTHORIZING THE BRIDGEWATER TOWNSHIP TAX COLLECTOR AND CHIEF FINANCE OFFICER TO PREPARE AND MAIL ESTIMATED TAX BILLS FOR 2019 CALENDAR YEAR IN ACCORDANCE WITH P.L. 1994, c. 72

AUTHORIZING THE TOWNSHIP USAGE OF P-CARD FOR THE PROCUREMENT OF GOODS AND SERVICE IN ACCORDANCE WITH THE STATE AUTHORIZED PROGRAM N.J.S.A. 40: A-5.16 (/C)

AWARD OF CONTRACT TO G.O. KELLER, INC., 1201 SOUTH AVE, PLAINFIELD, NEW JERSEY FOR THE 2019 DRY CLEANING OF POLICE UNIFORMS IN THE AMOUNT OF \$44,960.80

AUTHORIZING THE SALE OF PROPERTY KNOWN AS 166 SUSAN COURT, STRATTON MEADOWS, BRIDGEWATER TOWNSHIP, SOMERSET COUNTY, NEW JERSEY KNOWN AS BLOCK 2402.10, LOT 5.166 LOCATED AT 166 SUSAN COURT, BRIDGEWATER, NEW JERSEY FOR THE MAXIMUM ALLOWABLE PURCHASE PRICE FOR AN AFFORDABLE UNIT IN THE AMOUNT OF \$121,980.00

AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE IN THE AMOUNT OF \$16,111.80, ACCEPTANCE OF THE SITE IMPROVEMENTS, ACCEPTANCE OF THE MAINTENANCE GUARANTEE IN THE AMOUNT OF \$2,416.77, FOR CJA INVESTMENTS, LLC, 460 MILLTOWN ROAD, BLOCK 198, LOT 1

REQUESTING THAT THE SOMERSET COUNTY ENGINEER UNDERTAKE A STUDY PURSUANT TO N.J.S.A. 39:4-8 TO DETERMINE WHETHER IT IS APPROPRIATE TO RESTRICT COMMERCIAL VEHICLES IN EXCESS OF TEN (10) TONS FROM WASHINGTON VALLEY ROAD

Council President Moench stated he received several comments regarding Washington Valley not related to improvement but with regard to the traffic and tractor trailers using this roadway as a main route. He asked that attorney Savo prepare a resolution that will address these concerns.

Councilwoman Rose inquired about the Quarry trucks. Council President Moench stated that being this is a County Road, he is requesting the County to partake in a road study.

RESOLUTION OF THE COUNCIL OF THE TOWNSHIP OF BRIDGEWATER REQUESTING THAT DEBRA ALBANESE RECUSES HERSELF FROM PARTICIPATING IN AND VOTING IN THE PLANNING BOARD APPLICATION REGARDING THE PROPERTY COMMONLY KNOWN

AS THE CENTER OF EXCELLENCE

RESOLUTION OF THE COUNCIL OF THE TOWNSHIP OF BRIDGEWATER REQUESTING THAT PLANNING BOARD CHAIRMAN RON CHARLES RECUSES HIMSELF FROM PARTICIPATING IN AND VOTING IN THE PLANNING BOARD APPLICATION REGARDING THE PROPERTY COMMONLY KNOWN AS THE CENTER OF EXCELLENCE

RESOLUTION OF THE COUNCIL OF THE TOWNSHIP OF BRIDGEWATER REQUESTING THAT MAYOR DAN HAYES RECUSES HIMSELF FROM PARTICIPATING IN AND VOTING IN THE PLANNING BOARD APPLICATION REGARDING THE PROPERTY COMMONLY KNOWN AS THE CENTER OF EXCELLENCE

Council President Moench offered that Councilman Pedroso in collaboration with Andrew Level presented the above three resolutions seeking the recusal of Debra Albanese, Ron Charles and Mayor Daniel J. Hayes from the Planning Board. Council President Moench stated the appearance of a conflict is good reason for them to step down. If approved, the resolutions do not bind the members to recuse themselves but only displays the intention of the Council that they be removed.

Township Attorney Camerino reiterated the opinion provided by Savo that the Council does not have jurisdiction over the Planning Board. In that legal opinion, there is no conflict. Should these resolutions be adopted, it may cause the Township exposure and litigation.

Councilman Pedroso stated he will pick residents over a legal opinion. He supports the resolutions because he believes the appearance of a conflict warrants recusal.

Councilman Kurdyla stated he does not agree with these resolutions noting it is the Council's responsibility to safe guard township residents. While the Council cannot ignore the public, they must move forward based on legal opinions and the law. He will therefore not be supporting the resolutions.

Councilman Pedroso opined should Council support these resolutions, it will allow the residents a reason to appeal the decision of the Planning Board which is more important than going by the legal opinion that has been provided.

Council President Moench stated the application of the COE before the Planning board must meet the burden in the development process to improve traffic or it cannot be approved. He added that passing the resolution is not binding but expresses the Council's intent which is to discourage the appearance of impropriety and impartiality.

Councilwoman Rose opined passing these resolutions would be opening a Pandora's box.

**Motion to Set
Agenda**

On motion of Councilman Kurdyla, seconded by Councilwoman Rose, the agenda was set for the May 20, 2019 Township Council regular meeting without resolutions 12g, 12h and 12i.

On the motion of Councilman Kurdyla, seconded by Councilwoman Rose, the meeting adjourned at approximately 8:50 pm.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Matthew C. Moench
Council President