

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
JULY 1, 2019 COUNCIL CHAMBERS

The Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, convened in a regular session on Monday, July 1, 2019 at 7:30 p.m. in Council Chambers in the Municipal Complex, Bridgewater, New Jersey 08807.

Acting Council President Norgalis 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 (Absent)
Council Vice President Howard Norgalis
Council President Matthew C. Moench (arrived at 7:35pm)

Also Present: James T. Naples, Township Administrator
Christopher Corsini, Township Attorney
Grace Njuguna, Deputy Township Clerk

Acting Council President Norgalis led the audience in the Pledge of Allegiance.

Minutes

On motion of Councilman Kurdyla, seconded by Councilman Norgalis, the June 6, 2019 Council minutes were moved for approval and passed on a unanimous voice call vote.

Council Reports

Councilman Kurdyla

- Has had the pleasure of attending graduations for three (3) of his grandchildren.

Councilman Norgalis

- Attended the Somerset County ELC meeting where NJ Transit Executive Director Kevin Corbett was the guest speaker. Mr. Corbett spoke of their effort to play catch up on facilities and employee training. He continued to defend the decision to delay the return of the off peak one seat ride to NYC for the Raritan Valley Line. He indicated there will be a “big announcement” next week regarding the 30 acre site in Somerville.

- At the Planning Board, the Uncle Julio Mexican Food replacement for McCormick and Schmidt at the Mall was approved with the only change being an expansion of the outside seating. The first meeting of the application for a Choice Hotel and a Goddard School adjacent to the Houlihans on Route 22 was heard with another two sessions planned.
- Also at the Planning Board, Mayor Hayes appointed Beth Powers to the Board replacing Ron Charles who resigned. He also nominated her to be Vice Chair saying even though she had never been on the Board saying she “had extensive knowledge”.
- Mayor Hayes sent the Council the following Note: “We received a call from the Governmental Affairs Manager for J&J regarding the future of the Ethicon site in Bridgewater. J&J is consolidating their properties and has decided to move the Ethicon employees to their Janssen site in Raritan. They anticipate that the majority of the employee will move sometime in the 2nd Q 2020. They have not yet made a determination on what will become of the manufacturing division (roughly 10% of their Ethicon workforce) or what they will do with the site once it is vacant.” The Ethicon site on Route 22 contains 81.89 acres, current assessment is \$35,865,100 and employs approximately 1,000 employees.
- Received a memo from Mark Hengenmuhle, who lives on Eisenhower Ave., adjacent to the two acres that the Township land swapped with Somerset Land Equities for land and cash in April 2019. Mr. Hengenmuhle was dismayed that the Board of Education, whose school property abuts the site, was not consulted on a purchase. I advised him that, at my request, Bd of Ed liaison Councilwoman Chris Rose, had contacted the Board of Education who stated they had no interest in purchasing the property. Had a phone conversation with Mr. Hengenmuhle to update him on the issues.
- According to “Real Estate Alert”, Thor Equities has agreed to pay roughly \$152 million for the 784,000 square foot Lab/office complex at the rear of the Center of Excellence site on Route 202/206. According to the article, “The buildings are part of the 1.2 million sq ft campus that Advance and CrossHarbor bought from French Pharmaceutical giant Sanofi in 2012 for \$45 million.” Advance Realty continues to plan for “400 luxury residences, 150 hotel rooms, an 80,000 sf grocery and 60,000 sf of offices an additional retail and office space.

Councilman Pedroso:

- Nothing new to report.

Council President Moench:

- Nothing new to report.

**Mayor's
Reports**

Nothing new to report.

Report

REPORT AND RECOMMENDATIONS OF THE ZONING BOARD OF ADJUSTMENT FOR THE PERIOD OF JANUARY 1, 2018 - DECEMBER 31, 2018

Council President Moench stated the Council is in receipt of the report from the Board of Adjustment which is a Statute requirement that they provide said report to the governing body.

**Municipal
Budget**

It was agreed that this matter will be addressed and introduced at the July 15, 2019 Council meeting. In order to allow the Township to continue to operate, the following resolution was considered:

PROVIDING FOR EMERGENCY TEMPORARY APPROPRIATIONS FOR CURRENT FUND \$ 2,071,702.65

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#19-07-15-150](#) is appended to the official minutes

**Public
Comment**

On motion of Councilman Pedroso, 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.

Dianne Ehrlich - 105 Mountainside Lane was present. She stated she was representing the people that live on Mountainside Lane noting that this roadway is dangerous and poses a safety issue for the seniors that live in this neighborhood. Council President Moench and Township Administrator Naples advised that there is a dispute amongst the contractors which has resulted in a delay in fixing this roadway. In addition, there is a design issue that needs to be remedied before this project can continue. This situation is being worked on.

John Seebu - 117 Mountainside Lane was present. He reiterated the safety concern on Mountainside Lane noting it is a dangerous situation.

Mark Hengemuhle, 774 Eisenhower Ave was present. He discussed a June 24th letter that he sent to the Council regarding a land swap of the property adjacent to Eisenhower school to a developer. He stated that he was not aware of a public meeting to discuss this matter and therefore was not given an opportunity to provide his comments. He was concerned about the swap & questioned whether this land was offered to the Board of Education. He questioned the safety of the children in Eisenhower school and whether the environmental conditions of the school were considered. Mr. Hengemuhle was advised that Council President Moench, Township Administrator Naples and Township Attorney Savo can meet with him to try and resolve some of his concerns. Mr. Savo will check the Statute to ensure everything is being run properly.

Steve Kalafer, owner of Somerset Patriots was present. He addressed the Council regarding a resolution that Council unanimously tabled that would have authorized fireworks displays at Patriots baseball games at TD Bank Ballpark. Mr. Kalafer told the Bridgewater Council that it had disappointed 30,000 Patriots fans by tabling said resolution citing that Council would receive a letter regarding nesting eagles in the area, which he said isn't an actual problem. He said fireworks are a popular attraction at the ballpark that have been approved annually by the council for the past 20 years and questioned why this resolution had been tabled.

Mr. Kalafer opined the Council's actions were retaliatory efforts and a political agenda against the Somerset Patriots. Mr. Kalafer said he would call for a special prosecutor and possibly the attorney general of the State to look into this situation.

Councilman Pedroso and Council President Moench offered the council had not voted for or against the fireworks resolution, but had merely tabled it for the sake of having to research the impact of the fireworks on protected animals.

Sheila Gabaeff - 116 Mountainside Lane was present. She advised that there are a lot of artesian springs underneath the Mountainside Lane Roadway which may affect its construction.

Jeanne Kursay - 104 Mountainside Lane was present. She wondered if the roadway can be filled with macadam for the time being as we wait for construction of this roadway to be undertaken.

John Seebu - 117 Mountainside Lane was present. He asked that the contractors speak to the neighbors for their feedback as they know these properties and roadways best.

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

Public
Hearing &
Final Action
Ordinances

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$336,042 FOR ACQUISITION OF VARIOUS PUBLIC WORKS EQUIPMENT AND OTHER IMPROVEMENTS, INCLUDING TWO MASON DUMP TRUCKS WITH TOOL BOX, PLOW AND SPREADER, DUMP BODY FOR DUMP TRUCK, LAWN MOWER, TRACTOR AND SNOW ACCESSORIES, ROOF REPLACEMENT AT KID STREET BATHROOM BUILDING AND ROOF REPLACEMENT AT SENIOR CENTER, IN AND BY THE TOWNSHIP OF BRIDGEWATER, IN THE COUNTY OF SOMERSET, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$319,240 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION

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 Kurdyla, the public comment portion was closed.

Council President Moench and Councilman Pedroso offered that while we need a more aggressive long term debt plan, they will vote in favor of this Ordinance so that work can continue.

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

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

ORDINANCE [#19-11](#) WAS ADOPTED.

A copy of resolution [#19-07-15-151](#) is appended to the official minutes

ORDINANCE PROVIDING FUNDING FOR VARIOUS SEWER UTILITY IMPROVEMENTS FOR THE TOWNSHIP OF BRIDGEWATER AND APPROPRIATING \$2,000,000 FOR SUCH PURPOSE

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

Catherine Franco - 766 Weemac Road was present. She asked more detail about what these monies are proposed to do. She was advised this authorizes various sewer utility improvements to be undertaken, including but not limited to construction of a new sanitary sewer line and road improvements on Woodland

Terrace, Middle Brook Pump Station rehabilitation and acquisition of a vacuum sweeper and utility pick-up truck with snow plow.

She also questioned whether there are any plans for the Township in the future to address those individuals who are on sewer pumps. This matter will be looked into.

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

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

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

ORDINANCE [#19-12](#) WAS ADOPTED.

A copy of resolution [#19-07-15-152](#) is appended to the official minutes

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$5,663,958 FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF BRIDGEWATER, IN THE COUNTY OF SOMERSET, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$5,380,761 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.

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

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

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

Introduction
of
Ordinances

ORDINANCE [#19-13](#) WAS ADOPTED.

A copy of resolution [#19-07-15-153](#) is appended to the official minutes

AN ORDINANCE APPROVING VACATING A PORTION OF AN EXISTING STORM DRAINAGE EASEMENT PORTION BEING APPROXIMATELY 6 FEET WIDE AND 157 FEET LONG AND RECTANGULAR IN SHAPE LOCATED ON BLOCK 472, LOT 72, KNOWN AS 675 JOHN CHRISTIAN DRIVE IN THE TOWNSHIP OF BRIDGEWATER, SOMERSET COUNTY, NEW JERSEY AS SHOWN ON A MAP ENTITLED “TOPOGRAPHIC SURVEY, 675 JOHN CHRISTIAN DRIVE, LOT 72 BLOCK 472, TOWNSHIP OF BRIDGEWATER, SOMERSET COUNTY, NEW JERSEY” AS PREPARED BY JOHN HALE, P.L.S #33525 OF STIRES ASSOCIATES, P.A. DATED AUGUST 8, 2017

A request was received for the vacation of a portion of a storm drainage easement as described above. The vacation of this portion of the existing storm drainage easement has no detriment to the intent and/or function of the existing storm drainage easement and access thereto and does not extend into the Special Flood Hazard Area. It will have no visual impact but will allow the property owner a more usable backyard.

There was question of whether the Township attorney has reviewed this vacation and whether a recommendation has been provided. There was also question of whether the neighbors in the immediate neighborhood have been advised of this vacation.

Council agreed to introduce this Ordinance tonight. The Township Attorney will have an opportunity to provide input before the public hearing. The neighbors within 200-ft of this property will also be advised of this vacation before the public hearing which was scheduled for August 5, 2019.

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

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

THE [ORDINANCE](#) WAS INTRODUCED.

A copy of resolution [#19-07-15-154](#) is appended to the official minutes

Grace Njuguna, Deputy 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 5th day of August, 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.

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

AUTHORIZING THE TOWNSHIP QUALIFIED PURCHASING AGENT ROSE WITT TO SOLICIT PROPOSALS FOR COMPETITIVE CONTRACTING FOR EMERGENCY MEDICAL SERVICES FOR THE YEARS 2020, 2021, 2022

ACKNOWLEDGING AUTOMATIC RENEWAL OF 2008-2010 COOPERATION AGREEMENTS REGARDING COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP PROGRAM ACTIVITIES

GRANT AGREEMENT BETWEEN THE TOWNSHIP OF BRIDGEWATER AND THE STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION - GRANT IDENTIFIER: AQ19-037, TO PURCHASE, INSTALL AND MAINTAIN TWO DUAL PORT LEVEL 2 CHARGEPOINT CHARGING STATIONS TO BE INSTALLED AT 100 COMMONS WAY

AUTHORIZING EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN SOMERSET COUNTY, DEPARTMENT OF PUBLIC WORKS AND THE TOWNSHIP OF BRIDGEWATER FOR TWO DRIVER FEEDBACK SIGNS ON WASHINGTON VALLEY ROAD (CR 616) BETWEEN CHIMNEY ROCK ROAD AND EASTBROOK ROAD

AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE, ACCEPTANCE OF THE SITE IMPROVEMENTS, ACCEPTANCE OF THE MAINTENANCE GUARANTEE FOR CRC COMMUNITIES AT NORTH CROSSING, LLC, BLOCK 718, LOT 141, 142, AND 142.01, SUBDIVISION CONSISTING OF 7, 9, 10, 11, 12, 14, 15 AND 17 NORTH CROSSING, BRIDGEWATER

AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE, ACCEPTANCE OF THE SITE IMPROVEMENTS, ACCEPTANCE OF THE MAINTENANCE GUARANTEE FOR I & L ENTERPRISES, LLC, 1940 ROUTE 22 EAST, BLOCK 382, LOT 4

AUTHORIZING CHANGE OF SCOPE #1 TO THE PROFESSIONAL SERVICES CONTRACT INCREASING THE CONTRACT PRICE BY THE SUM OF \$8,190.00 FOR ADDITIONAL ENGINEERING SERVICES FOR THE GARRETSON ROAD IMPROVEMENT PROJECT - SECTION V (DOWNEY ROAD TO WESTERN BRHS DRIVEWAY) TO THE REYNOLDS GROUP, INC., (575 ROUTE 28, SUITE 110, RARITAN, NJ 08869) FROM THE CONTRACT PRICE OF \$84,800.00 TO \$92,990.00 FUNDED

THROUGH THE 2017 CAPITAL FUND

AUTHORIZING CHANGE ORDER NO. 1/FINAL CHANGE ORDER DECREASING THE PRICE FROM \$410,318.50 TO \$405,723.62 A DECREASE OF 1.12% OR (\$4,594.88), 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 BWT-4 ROAD IMPROVEMENT PROJECT WHICH INCLUDES ENGLISH COURT, GRAYBAR DRIVE AND SEVILLE COURT BY TOP LINE CONSTRUCTION CORP. (22 FIFTH STREET, SOMERVILLE, NJ 08876), FUNDED THROUGH THE 2018 CAPITAL FUND

PERSON TO PERSON AND PLACE TO PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE 1806-33-006-005 FROM MCCORMICK & SCHMICK RESTAURANT CORP. TO UNCLE JULIO'S OF FLORIDA, INC. TO BE SITED AT BRIDGEWATER COMMONS, 400 COMMONS WAY, SUITE 2493, BRIDGEWATER, NJ T/A UNCLE JULIO'S FINE MEXICAN FOOD, NEW LICENSE 1806-33-006-006

PERSON TO PERSON PLENARY RETAIL CONSUMPTION LIQUOR LICENSE (HOTEL/MOTEL EXCEPTION) TRANSFER FROM SAGE BRE NYNJ MANAGER, LLC, LICENSE NUMBER 1806-36-037-004 LOCATED AT 530 ROUTE 33 EAST, BRIDGEWATER TO GCP BRIDGEWATER MANAGEMENT, LLC, d/b/a HYATT HOUSE BRIDGEWATER, NEW LICENSE 1806-36-037-005 AT THE SAME LOCATION 530 ROUTE 22 EAST, BRIDGEWATER

PERSON TO PERSON PLENARY RETAIL CONSUMPTION LIQUOR LICENSE TRANSFER FROM BRIDGEWATER RESTAURANT, LLC d/b/a HOULIHAN'S, LICENSE NUMBER 1806-33-014-008 LOCATED AT 1288 ROUTE 22 EAST, BRIDGEWATER TO HOP BRIDGEWATER, LLC d/b/a HOULIHAN'S, NEW LICENSE NUMBER 1806-33-014-009 AT THE SAME LOCATION 1288 ROUTE 22 EAST, BRIDGEWATER

REQUEST FOR WAIVER OF FIRE PERMIT FEES IN THE TOTAL AMOUNT OF \$120.00 FOR THE SOMERSET COUNTY OFFICE ON AGING AND DISABILITY SERVICES ROUND AND SQUARE DANCING PROGRAMS BEING HELD AT THE ADAMSVILLE AND MILLTOWN SCHOOLS BETWEEN SEPTEMBER 3, 2019 AND JUNE 30, 2020

AUTHORIZING A WAIVER OF RECREATION FEES FOR THE GREEN FAMILY RESIDING IN THE BOROUGH OF RARITAN

Council President Moench called for a consent vote on the resolutions noted above:

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	Absent
Council Vice-President Norgalis	Aye
Council President Moench	Aye

THE RESOLUTIONS WERE ADOPTED.

Copies of resolutions [#19-07-01-155 thru #19-07-01-167](#) are appended to the official minutes.

AUTHORIZING FIREWORK DISPLAYS AT SOMERSET PATRIOTS STADIUM ON SATURDAY, AUGUST 24 (RAIN DATE 8-28), THURSDAY, AUGUST 29 (RAIN DATE 9-7), FRIDAY, SEPTEMBER 6 (RAIN DATE 9-12) AND SATURDAY, SEPTEMBER 21 (RAIN DATE 9-20)

Council President Moench stated Mr. Kalafer was present at the beginning of this meeting at which time he gave the Council a lot of information which they have not had a chance to review. Council opined they must perform their due diligence by reviewing the information provided before making a decision on this matter. It was added that there is still plenty of time to vote on this resolution without affecting the dates of the firework displays. Council will also look into approving the firework displays once a year earlier in the season.

Councilman Moench made motion to table this resolution. The motion was seconded by Councilman Pedroso and carried on the following roll call vote:

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

Adjournment

On the motion of Councilman Pedroso, seconded by Councilman Norgalis, the meeting adjourned at approximately 8:50 pm.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Matthew C. Moench
Council President