

**MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
AUGUST 19, 2013 COUNCIL CHAMBERS**

The Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, convened in a regular session on Monday, August 19, 2013 at 7:30 p.m. in Council Chambers in the Municipal Complex, Bridgewater, New Jersey 08807.

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 8, 2013 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
Matthew C. Moench
Howard V. Norgalis
Filipe Pedroso
Council President Christine Henderson Rose

Also Present: Daniel J. Hayes, Mayor
James T. Naples, Township Administrator
Natasha Turchan, Finance Director
William Savo, Township Attorney
Thomas J. Forsythe, Deputy Director of Municipal Services
Linda J. Doyle, Township Clerk

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

Minutes for Approval

Minutes will be presented for Council consideration at the next regular meeting.

Council Reports

Councilman Moench had nothing new to report.

Councilman Kurdyla reported he attended the County Freeholder meeting on 8/13/13 and accepted a citation from Caldwell Banker who named Bridgewater as the number one booming suburb in Somerset County. He also reminded everyone of the September 7, 2013 shred event at Franklin Township's municipal building, 9am to 1pm.

Councilman Norgalis reported he attended the 4-H fair scheduled for August 7 thru August 9 and the Bridgewater Senior Citizens Picnic on 7/8/2013. He added that he along with Councilman Kurdyla walked thru the Bridgewater and County Dispatch desks.

Councilman Pedroso reported he too attended the 4-H fair and the Senior Citizens Picnic.

Council President Rose also attended the Bridgewater Senior Citizens Picnic and participated in the walk thru of the Bridgewater Dispatch desks.

Mayor's Report

Mayor Hayes reported he too attended the Bridgewater Senior Citizens Picnic and the 4H Fair.

Discussion

GREEN KNOLL GRILLE (GKG)

Justin Carlisi, manager of the Green Knoll Grille was present. He discussed GKG's proposal noting their request is for a 1 day pass to serve beer in the back of their parking lot where they plan on having a football tailgate party on Sunday September 8th. GKG proposes to section off the back corner of their parking lot to serve BBQ style food, have some games, give some door prizes, and serve beer. The event will be held from 1p.m. to 7p.m. GKG will have security staff to assure alcoholic beverages don't leave the secured area and that no outside beverages are allowed in. GKG also plans on contacting Fire Official Langon to see what necessary requirements he will need to ensure proper fire safety and Health Director Poulsen to ensure proper food safety measures are taken. In addition, GKG will contact ABC in order to obtain all necessary approvals.

Councilman Moench made motion to approve GKG's proposal. The motion was seconded by Councilman Norgalis and carried on the following roll call vote:

Councilman Kurdyla	Aye
Councilman Moench	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Aye
Council President Rose	Aye

Public Comment

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

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

**Introduction
of New
Ordinances**

AN ORDINANCE VACATING THE FOLLOWING DRIVEWAY EASEMENTS:

- a) **DRIVEWAY RIGHT OF WAY EASEMENT, 12 FEET IN WIDTH LOCATED ON BLOCK 700, LOT 77, LOCATED AT 1312 CRIM ROAD IN THE TOWNSHIP OF BRIDGEWATER, SOMERSET COUNTY, NEW JERSEY AND SET FORTH IN DEED BOOK 1097 AT PAGE 285**

- b) **DRIVEWAY RIGHT OF WAY EASEMENT, 12 FEET IN WIDTH LOCATED ON BLOCK 700, LOT 75, LOCATED AT 1306 CRIM ROAD AND TO THE EXTENT THAT SAID DRIVEWAY EASEMENT IS ALSO LOCATED ON LOTS 76 AND 77 IN THE TOWNSHIP OF BRIDGEWATER, SOMERSET COUNTY, NEW JERSEY AND SET FORTH IN DEED BOOK 1255 AT PAGE 49**

Township Administrator Naples advised we originally needed these driveway easements for access but now that the properties are fully developed, access is no longer needed.

BE IT RESOLVED that the said pending ordinance be passed on first reading and advertised as required by statute fixing the 5th day of September 2013, 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

BE IT 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 with no charge and spread the same upon the minutes of the meeting.

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

Councilman Kurdyla	Aye
Councilman Moench	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Aye
Council President Rose	Aye

THE ORDINANCE WAS INTRODUCED.

A copy of resolution #13-08-19-184 is appended to the official minutes.

ORDINANCE OF THE BRIDGE WATER TOWNSHIP COUNCIL AUTHORIZING THE ACQUISITION OF A CONSERVATION EASMENT ON PROPERTY COMMONLY KNOWN AS 4 EDGE WATER AVENUE, IDENTIFIED AS BLOCK 124, LOTS 3, 4, 5, 10 & 11, BLOCK 125, LOTS 2 & 3, BLOCK 126, LOTS 1,2 & 3, BLOCK 127, LOTS 1,2 & 3, BLOCK 128, LOTS 4 & 5, BLOCK 129, LOTS 1, 3, BLOCK 133, LOTS 2 & 3, BLOCK 129, LOTS 4,5 & 6 FOR OPEN SPACE AND PASSIVE RECREATION FOR THE PURCHASE PRICE OF \$775,000 TO BE PAID FROM THE OPEN SPACE TRUST FUND WITH ONE-HALF OF THE PURCHASE PRICE TO BE REIMBURSED BY THE COUNTY OF SOMERSET

Township Administrator Naples stated that the Mayor and Township Attorney Savo worked with the County on addressing and cleaning up the above properties which are an eye sore and safety hazard.

BE IT RESOLVED that the said pending ordinance be passed on first reading and advertised as required by statute fixing the 5th day of September 2013, 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

BE IT 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 with no charge and spread the same upon the minutes of the meeting.

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

Councilman Kurdyla	Aye
Councilman Moench	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Aye
Council President Rose	Aye

THE ORDINANCE WAS INTRODUCED.

A copy of resolution #13-08-19-185 is appended to the official minutes.

Resolutions

PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2013 BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P. L. 1948)

REGIONAL CENTER PARTNERSHIP GRANT-\$23,000.00

Township Administrator Naples advised the monies for the above referenced grant have been received and this resolution will allow Administration to add same to the budget.

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

Councilman Kurdyla	Aye
Councilman Moench	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Aye
Council President Rose	Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution #13-08-19-186 is appended to the official minutes.

PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2013 BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) YOUTH SERVICES COMMISSION-\$5,000.00

Township Administrator Naples advised the County runs a program where municipalities are eligible to receive \$5,000.00. We will be utilizing these monies to continue the successful new comers class at the high school where existing students mentor new students and get them acclimated to high school.

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

Councilman Kurdyla	Aye
Councilman Moench	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Aye
Council President Rose	Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution #13-08-19-187 is appended to the official minutes.

AWARD OF CONTRACT TO ASPHALT PAVING SYSTEMS, INC.FOR THE MAINTENANCE AND REPAIR WORK (CHIP SEAL AND MICROSURFACING) PROJECT IN THE SUM OF \$85,863.63

Township Administrator Naples advised this is an award of bid to a contractor who has provided this work for the Township previously. We are continuing work on Crest Drive, Glen Road and Saratoga Avenue to Vosseller Ave.

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

Councilman Kurdyla	Abstain
Councilman Moench	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Aye
Council President Rose	Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution #13-08-19-188 is appended to the official minutes.

AUTHORIZING THE CANCELLATION OF AN OVERBILL FOR SEWER FEES FOR SQUIRE’S SQUARE SHOPPING CENTER (CHADWELL PLAZA, LLC.), BLOCK 802, LOT 1 , LOCATED AT 1982 WASHINGTON VALLEY ROAD, IN THE AMOUNT OF \$6,384.00 WAIVING INTEREST IN THE AMOUNT OF \$248.98 AND THAT NO PENALTY FEES APPLY

Township Administrator Naples advised this is a case where a restaurant occupied this space but has since moved out. The sewer fees now have to be renegotiated based on the existing establishment.

Councilman Norgalis asked that the following wording be added to the resolution: “caused by a fee renegotiation rising out of the elimination of a food establishment and the incorporation of the vacated space into the other businesses on site”

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

Councilman Kurdyla	Aye
Councilman Moench	Abstain
Councilman Norgalis	Aye
Councilman Pedroso	Aye
Council President Rose	Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution #13-08-19-189 is appended to the official minutes.

AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE, IN THE AMOUNT OF \$245,676.00 SKYLANDS COMMUNITY BANK (FULTON BANK, N.A.) IRREVOCABLE STANDBY LETTER OF CREDIT BOND S120148 IN THE AMOUNT OF \$221,108.40 AND A CASH IN THE AMOUNT OF \$24,567.60), ACCEPTANCE OF THE SITE IMPROVEMENTS AND ACCEPTANCE OF THE MAINTENANCE GUARANTEE IN THE AMOUNT OF \$30,709.50 FULTON BANK OF NEW JERSEY (FULTON BANK, N.A.) #S040704 FOR SOMERSET CAR WASH, INC. (BRIDGEWATER NISSAN), BLOCK 233, LOT 2 1400 ROUTE 22 EAST

Township Administrator Naples advised that Bridgewater Nissan, the developer for this property has satisfied all the Planning and Engineering requirements and a release of their performance bond and acceptance of the maintenance bond is in order.

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

Councilman Kurdyla	Aye
Councilman Moench	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Aye
Council President Rose	Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution #13-08-19-190 is appended to the official minutes.

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2013 HIGHWAY SAFETY FUND (SAFE CORRIDORS GRANT) IN AN AMOUNT UP TO \$151,971.69

Township Administrator Naples advised that Council previously approved the acceptance of the funds for the above grant. This resolution will accompany the application for the grant.

Councilman Norgalis asked that the following wording be added to the resolution: "for the purchase of three (3) fully equipped patrol vehicles"

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

Councilman Kurdyla	Aye
Councilman Moench	Aye
Councilman Norgalis	Aye

Councilman Pedroso
Council President Rose

Aye
Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution #13-08-19-191 is appended to the official minutes.

DISCUSSION

SOMERSET COUNTY MIGRATION

On motion of Councilman Norgalis, seconded by Councilman Pedroso, the meeting was opened to the public for questions concerning the Somerset County Migration:

Adam Augliera, President of Local 174 was present. He spoke in opposition to the migration noting concerns with County dispatch including misdirection and confusion with dropped calls and addresses etc.

Ronald Hazen, 174 Maple Rd. was present. He spoke in opposition to the migration noting concerns with County dispatch services.

Chet Chartowich, Spur Court was present. He expressed concern that our experienced dispatchers will lose their jobs and seniority and be replaced with a County system that is not too familiar with Bridgewater. He asked that Council not approve this migration.

Jane Gandalfe, 2000 Washington Valley Rd was present. She spoke in opposition to the migration noting that Bridgewater is too large a municipality for the County to handle and also noted the migration would constitute the misuse of our police department.

Jeff Koerner, 620 Talamini Rd. was present. He stated he is opposed to the migration as this will mean the County taxes will increase. He added our dispatchers have an intimate knowledge of Bridgewater and this will be lost if the migration occurs. He further noted we currently have 4-5 frequencies that we use for communication but the County is only offering 2 frequencies. Lastly, he opined the County will not be able to handle a 30-40% jump in call volume when they take on Bridgewater.

Anthony Diglazzaro, 104 Salvation Court was present. He noted he is a Bridgewater police officer who has worked with the County and for the municipality of Raritan then transferred to Bridgewater because our dispatch and police departments are highly skilled. He discussed concerns with County dispatch including address confusion etc

Marc Sowder, 62 Pearl Street was present. He spoke in opposition to the

migration noting the County will not be able to handle a town the size of Bridgewater.

Michael Somers, 214 Norwood Avenue was present. He stated he has been a Bridgewater dispatcher and Bridgewater police officer for 20-years. He spoke in opposition to the migration noting the County would not be as effective as Bridgewater dispatch is.

Bridgewater police officer James Edwards, 1281 Dogwood Drive was present. He spoke in opposition to the migration noting the County will not be as effective as our current dispatchers.

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

Council discussed the migration proposal at length and directed questions to Chief Borden and Captain Caravela. Some of the concerns included how dispatch times will be affected by switching to the County and the loss of ability of township police, fire and public works officials to communicate with each other over the radio.

Chief Borden reiterated that in the meetings he had with Bill Stahl, County dispatch coordinator, he had conveyed that Bridgewater would increase the call volume and as such, he felt it's critical we have our own channel, not to be shared with the smaller participating municipalities. Chief Borden felt that if this couldn't be done, that would prompt safety concerns.

Councilman Norgalis and Councilman Kurdyla were both participants in the migration committee and opined that after numerous discussions and research, they felt the migration would not pose a public safety.

Councilman Pedroso questioned Chief Borden at length and determined that other than the private channel, the migration would be in the best interest of the residents and that public safety would not be in jeopardy.

Council President Christine Rose weighed her decision and felt in order to ensure the migration meets the standards and quality they anticipate, it would be better for her to be on the migration committee and as such would vote affirmatively. She agreed to take the seat of Councilman Norgalis at the migration committee.

Resolutions

AUTHORIZING EXECUTION OF A UNIFORMED SHARED SERVICES AGREEMENT FOR RADIO DISPATCHING SERVICES WITH THE COUNTY OF SOMERSET

PURSUANT TO THE PROVISIONS OF N.J.S.A 40A:65-1 ET SEQ

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

Councilman Kurdyla	Aye
Councilman Moench	Nay
Councilman Norgalis	Aye
Councilman Pedroso	Aye
Council President Rose	Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution #13-08-19-192 is appended to the official minutes.

Councilman Moench qualified his negative vote by noting that although he felt the County does a good job, his concern was there were too many questions that still needed to be answered before moving forward because Bridgewater is one of the busiest police and court systems in the County.

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 Norgalis, seconded by Councilman Pedroso, Council convened in a closed session at approximately 9:40 p.m.

A copy of resolution #13-08-19-193 is appended to the official minutes.

On the motion of Councilman Pedroso, seconded by Councilman Kurdyla, the meeting reconvened to open session at approximately 9:50 p.m.

On the motion of Councilman Norgalis, seconded by Councilman Kurdyla, the meeting adjourned at approximately 9:50 p.m.

Respectfully Submitted,

Linda J. Doyle, RMC

Closed
Session

Municipal Clerk

Christine Henderson-Rose
Council President