

**MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL**  
**December 2, 2013 COUNCIL CHAMBERS**

The Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, convened in a regular session meeting on Monday, December 2, 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, and the time change noticed on September 6, 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 (arrived at 7:32pm)  
Council President Christine Henderson Rose

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

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

**Council Reports**

Councilman Moench reported he attended several good sessions at the NJLM conference. He noted this will be his last month as the president of the Somerset County Governing Officials association. He encouraged everyone to attend its holiday party next week. Councilman Moench also stated he is once again hosting a drive for the Raritan Pregnancy Aid Center which although is located in Raritan also serves the Bridgewater Community of pregnant women and mothers in need. This endeavor was successful last year and same is anticipated this year as well.

Councilman Kurdyla reported he too attended some sessions at the NJLM conference and was honored to accept a Sustainable Jersey bronze level award on behalf of Bridgewater Township. He also attended a Veterans' Service in Martinsville and two (2) open space meetings at which time three (3) open space properties were reviewed and the.

Councilman Pedroso reported he attended his first NJLM Conference.

Councilman Norgalis reported he attended:

- NJLM Conference
- Veterans' Day Celebration for the Bradley Gardens VFW
- 200 Club Annual Party, an organization which supports the families of police, fire and EMS.
- Toured Washington DC courtesy of Congressman Lance and his organization.

Councilman Norgalis encouraged Council to follow the County's suit and take up the issue of banning Cigarette Smoking in public parks.

Councilwoman Rose reported she attended the Veterans' Service in Martinsville and a Board meeting of the animal shelter.

**Mayor's Report**

Township Administrator Naples elaborated on the Sustainable Jersey bronze level award noting it is not a simple matter as the certification involves a very intricate process. He recognized and commended the Chris Poulsen, Director of Human Services and our Environmental Committee for the work they put into this. He also handed out Sustainable Jersey Lapelle pins to the governing body.

**Presentation**

Marna Elliott, Branch Director for the Library and Keith McCoy, Assistant Branch Director were present for the presentation. They noted the purpose for the visit is to thank the governing body for their support of the library. They stated the library services approximately 40,000 people in July, their busiest month, and approximately 70,000 books, not including e-books are borrowed at that time. The community also has access to computers and various programs. They noted the library would like to keep an open communication with the governing body and provided them gold library cards and a handout of the library's 5-year plan.

**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.

No one wished to speak.

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

Resolutions

**AUTHORIZING CHANGE ORDER NO. 2/FINAL CHANGE ORDER DECREASING THE PRICE FROM \$35,351.00 TO \$33,351.00, A DECREASE OF \$2,000.00 AND A 5.66% DECREASE, AND FINAL PAYMENT TO TILLERMAN LANDSCAPING, LLC, AND AUTHORIZING ACCEPTANCE OF THE PROJECT AND RELEASE OF PERFORMANCE BOND NO. 4574 IN THE AMOUNT OF \$18,779.00, AND ACCEPTANCE OF MAINTENANCE BOND NO. 4574 CMB IN THE AMOUNT OF \$5,002.65, BOTH ISSUED BY BONDEX INSURANCE COMPANY FOR MOUNTAIN TOP ROAD & CRIM ROAD RETAINING WALL PROJECT**

Township Administrator Naples advised this project involved a dangerous intersection that has since been fixed. The change order is due to an adjustment of actual as-built quantities versus the bid items.

On motion of Councilman Norgalis, seconded by Councilman Moench, 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 #13-12-07-257 is appended to the official minutes.

**AUTHORIZING PAYMENT OF \$300,000 FROM THE AFFORDABLE HOUSING TRUST FUND TO VILLAGE AT BRIDGEWATER, INC., 103 GRIGGS DRIVE, BRIDGEWATER, NEW JERSEY**

Township Administrator Naples advised this resolution will allow for a payment of \$300,000 from the Affordable Housing Trust fund to the Village at Bridgewater Inc. who is helping the Township satisfy our COAH obligation by building very low income units.

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 #13-12-07-258 is appended to the official minutes.

**AUTHORIZING EXECUTION OF SECOND AMENDMENT TO THE CONSOLIDATED PHASE I PROPERTY REDEVELOPMENT AGREEMENT BETWEEN BRIDGEWATER COMMONS MALL II, LLC, BRIDGEWATER COMMONS MALL DEVELOPMENT, LLC, AND THE TOWNSHIP OF BRIDGEWATER**

Ken Labarre, a General Growth Properties representative was present to discuss this resolution. He noted their request is to modify the Phase I Expansion and otherwise amend the Redevelopment Agreement. The modification entails transferring expansion G.L.A from Lord and Taylor to the developer.

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 #13-12-07-259 is appended to the official minutes

**(OPTION A - NON CONDEMNATION) AMENDING TOWNSHIP RESOLUTION 13-09-05-203 RE-AUTHORIZING THE TOWNSHIP OF BRIDGEWATER PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION FOR REDEVELOPMENT OF AN APPROXIMATELY 18.48 ACRES SITE KNOWN AS LOTS 3.01, 13.01 AND 14, BLOCK 329 AS SHOWN ON THE TOWNSHIP OF BRIDGEWATER TAX MAP AND COMMONLY REFERRED TO AS THE "WEYERHAUSER" PROPERTY, LOCATED ON MAIN STREET**

**[OPTION B - CONDEMNATION] AMENDING TOWNSHIP RESOLUTION 13-09-05-203 RE-AUTHORIZING THE TOWNSHIP OF BRIDGEWATER PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION FOR REDEVELOPMENT OF AN APPROXIMATELY 18.48 ACRES SITE KNOWN AS LOTS 3.01, 13.01 AND 14, BLOCK 329 AS SHOWN ON THE TOWNSHIP OF BRIDGEWATER TAX MAP AND COMMONLY REFERRED TO AS THE "WEYERHAUSER" PROPERTY, LOCATED ON MAIN STREET**

Township Attorney Savo advised the Legislature has directed that the resolution authorizing the planning board to undertake a preliminary investigation for redevelopment of the Weyerhaeuser Property should state whether the redevelopment area determination shall:

- a) authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (“Non-Condensation Redevelopment Area”)
- b) Or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (“Condensation Redevelopment Area”).

After discussion, Council agreed in the non-condemnation option (A).

On motion of Councilman Moench, seconded by Councilman Norgalis, the foregoing resolution (Option A) 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 #13-12-07-260 is appended to the official minutes

**WAIVER OF FIRE PERMIT FEE IN THE AMOUNT OF \$50 FOR THE HELP FOUNDATION LOCATED AT 185 SCARBOROUGH WAY, MARLBORO, NJ 07746 IN CONNECTION WITH THE MUSICAL FUNDRAISER BEING HELD AT THE BRIDGEWATER MIDDLE SCHOOL ON DECEMBER 14, 2013**

Council was in consensus that in the future, fees will only be waived for those Organizations that provide benefits / support to Bridgewater residents or have a physical presence in the township.

On motion of Councilman Moench, 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 #13-12-07-261 is appended to the official minutes

**WAIVER OF FIRE PERMIT FEE IN THE AMOUNT OF \$50.00 FOR SOMERVILLE ELKS LODGE #1068 LOCATED AT 375 UNION AVENUE, BRIDGEWATER, NJ RELATED TO THE ANNUAL CHRISTMAS TREE SALE BEGINNING NOVEMBER 29 THROUGH DECEMBER 22, 2013**

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

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

**THE RESOLUTION WAS ADOPTED.**

A copy of resolution #13-12-07-262 is 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 litigation and 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 Moench, Council convened in closed session at 8:10 p.m.

A copy of resolution #13-12-07-263 is appended to the official minutes.

On the motion of Councilman Norgalis, seconded by Councilman Pedroso, the meeting reconvened to open session at approximately 9:15 p.m.

On the motion of Councilman Norgalis, seconded by Councilman Pedroso, the meeting adjourned at 9:15 p.m.

Respectfully Submitted,

Linda J. Doyle, RMC  
Municipal Clerk

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Christine Henderson-Rose  
Council President