

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
JULY 15, 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, July 15, 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: James T. Naples, Township Administrator
William Savo, Township Attorney
Grace Karanja, Deputy 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 Council meeting.

**Council
Reports**

Councilman Pedroso reported he attended the Somerset County Governing Officials annual picnic and golf outing.

Councilman Norgalis reported as follows:

- He met with Congressman Leonard Lance to discuss federal legislation on traumatic brain injury
- This month's Planning Board meeting was cancelled due to lack of business

- He will be going to the Senior Citizen's Center where "The Consortium Gathering of Unused Medication" Organization will be collecting unused medication for safe disposal at the Sheriff's department
- He will be attending the Somerset County Planning Board meeting to discuss current updates.

Councilman Moench reported he attended the Somerset County Governing Officials annual picnic and golf outing. The next meeting is scheduled for the second Wednesday in September. Councilman Moench also attended Washington Campground Association Annual Reading of The Declaration of Independence and commended Council President Rose for a great speech.

Councilman Kurdyla reported the Open Space Committee has had some activity which they will be presenting to Council in the next month or so. They also have two additional properties to evaluate and the outcome of that analysis will also be presented to Council in the near future.

Councilwoman Rose reported that she and Councilman Moench attended Washington Campground Association Annual Reading of The Declaration of Independence on July 4th, a well attended event with Senator Doherty as the guest speaker. She also attended the 4th of July gathering for the Sunset Lake Association. She added there was discussion about Bridgewater having a lot of history but lacking a historical committee/association. She suggested placing on the agenda a discussion on whether this is something Council would like to pursue as the people that bear a lot of this historic information are getting older. It was Council's consensus to discuss this item at a future agenda.

Mayor's Report

Township Administrator Naples reported he received a call from the County who are in the process of going out for an RFP for residential energy aggregation and asked if Bridgewater was interested in participating in the process. If we agree to be involved, they will have a consultant come in to speak about what our obligations would be before the actual bid for energy goes out. We would then have an additional opportunity once the bid goes out to offer whether we are interested in participating.

Council was in consensus to participate in this process.

DISCUSSION

GREEN KNOLL GRILLE (GKG)

It was noted that Green Knoll Grille has made request to amend the conditions of their liquor license in order to modify the current music restrictions. Currently, GKG is not permitted music that is able to be heard by the customers on the outdoor patio. Council was in consensus that GKG has made substantial attempts to alleviate prior noise complaints originating from outdoor music. They are prepared to provide sound blankets to block noise from the residents and restrict the times for the live music. Council agreed to allow GKG to move forward with their plans and if their attempts to mitigate the noise fail, the law allows the governing body to fine or take away their liquor license.

The following changes were proposed for GKG's resolution:

GKG Shall have use of live music outdoors with the following schedule:

Inside: (Year Round)

DJ Entertainment

Thursday from 10PM to 1AM

Friday from 10PM to 1AM

Saturday from 10PM to 1AM

Outside: From April 1st to October 1st

Thursday from 4:30 PM to 9PM

Friday from 4:30 PM to 9PM

Saturday from 6:30PM to 9:30PM

Outside: Annually

April 14th until 9:30PM for Annual Grand Opening Day

May 5th until 9:30PM for Annual Cinco De Mayo Celebration

July 4th until 9:30PM for Annual Independence Day Celebration

The Applicant shall maintain a visual barrier to the patio and terrace from the public traveling in a North or South bound direction on Route 206 by adding a minimum of two (2) feet of lattice work and plant material on top of the existing fence. If necessary, the lattice work will be extended beyond the minimum of two (2) feet to provide the required screening. The Applicant shall, if required, apply for permits and approvals to install the additional screening.

In the event that noise complaints are received by the Township resulting from the playing of live music outdoors, then the Council, at its sole discretion, may modify the conditions of this Resolution to address the noise complaints.

Council President Rose opened the hearing for public comment in the event members of the public were interested in this agenda item.

**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 be heard

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

DISCUSSION

GREEN KNOLL GRILLE (GKG)

Councilman Moench made motion to approve GKG’s resolution with the above modifications. Councilman Kurdyla seconded the motion which carried on the following roll call vote:

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution **#13-07-15-168** is appended to the official minutes.

**PUBLIC
HEARING &
FINAL ACTION
ORDINANCES**

**AN ORDINANCE AMENDING CHAPTER 4 “ADMINISTRATIVE ORGANIZATION”,
ARTICLE XIV ENTITLED “DEPARTMENT OF POLICE”, SECTION 4-84 D,
(COMPOSITION AND ORGANIZATION OF THE POLICE FORCE)**

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

No one wished to speak.

On motion of Councilman Norgalis, seconded by Councilman Moench, the public comment portion was closed and the meeting was opened up for discussion.

Councilman Norgalis made the following suggestions to the Ordinance

Section I First paragraph – the following wording was added to end of the sentence “...two of whom shall be assigned as School Resource Officers”.

Section I Second Paragraph – the following wording was added to end of the sentence “...Ordinance shall revert to 50 as soon as a vacancy occurs at any level on the police force through retirement or otherwise.

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

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

THE ORDINANCE WAS ADOPTED.

A copy of resolution #13-07-15-169 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) CLEAN COMMUNITIES GRANT IN THE AMOUNT OF \$87,538.56

Township Administrator Naples advised the clean communities’ grant this year is an increase from last year (\$74,559.24). The Clean Communities’ grants are funded by a legislated user-fee on manufacturers, wholesalers and distributors that produce litter-generating products. Disbursements to municipalities are based on the number of housing units and miles of municipally owned roadways within the Township's jurisdiction. Allowable activities funded by the grant include volunteer clean-ups of public properties and roadsides, clean-up and demarcation of stormwater outfalls that can dispense trash into waterways, public information and education programs, purchase of litter collection equipment and supplies, litter receptacles, recycling bins and supplies to remove graffiti.

On motion of Councilman Moench, seconded by Councilman Norgalis, 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 #13-07-15-170 is appended to the official minutes.

AWARD OF STATE CONTRACT NO. A83577 TO PURCHASE ONE 2013 FORD 4WD PICKUP TRUCK WITH SNOW PLOW FROM DITSCHMAN/FLEMINGTON FORD IN THE AMOUNT OF \$31.961

Township Administrator Naples advised this is a capital project for the public works department to replace a 1998 Chevy, 2500 series with 103,721 miles

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 #13-07-15-171 is appended to the official minutes.

AWARD OF STATE CONTRACT NO. A78847 TO PURCHASE ONE 2014 FORD 4WD PICKUP TRUCK WITH PLOW FROM DITSCHMAN/FLEMINGTON FORD IN THE AMOUNT OF \$32,939

Township Administrator Naples advised this is a capital project for the sewer department to replace a 1997 Chevy, 2500 series with 178,000 miles

Mr. Naples added that one vehicle was for DPW and one for the Sewer Department.

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 #13-07-15-172 is appended to the official minutes.

AUTHORIZING EXECUTION OF AN AGREEMENT WITH GILBANE BUILDING COMPANY FOR CONSULTANT SERVICES NOT TO EXCEED \$43,628

Township Attorney Savo noted we have pending litigation with Patock Construction Company, Inc., the contractor for the Municipal Complex. Gilbane has agreed to a non-binding arbitration to review the claims of Patock as well as the Township's claim against Patock and USA Architects. He added that Gilbane has the experience and history with the Municipal Complex to provide the required services.

Councilman Pedroso asked that his name be added to the list of Council members on paragraph 10 of the resolution.

On motion of Councilman Norgalis, seconded by Councilman Kurdyla, the foregoing resolution was proposed with the above modification. 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 #13-07-15-173 is appended to the official minutes.

AUTHORIZING THE TOWNSHIP OF BRIDGEWATER PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION FOR REDEVELOPMENT OF A 18.48 ACRE SITE KNOWN AS LOT 14, BLOCK 329 AS SHOWN ON THE TOWNSHIP OF BRIDGEWATER TAX MAP AND COMMONLY REFERRED TO AS THE "WEYERHAUSER" PROPERTY, LOCATED ON EAST MAIN STREET

Township Administrator Naples advised this resolution will allow the Planning Board to undertake a preliminary investigation to determine whether the proposed study area commonly referred to as the "Weyerhauser" property located at East Main Street, qualifies as an area in need of redevelopment.

On motion of Councilman Kurdyla, 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 #13-07-15-174 is appended to the official minutes.

AUTHORIZATION FOR FIREWORKS DISPLAYS SOMERSET PATRIOTS AUGUST 2, AUGUST 8, AUGUST 17, AUGUST 29, SEPTEMBER 14, 2013 AND PLAYOFF GAME (IF NECESSARY)

On motion of Councilman Moench, seconded by Councilman Norgalis, 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 #13-07-15-175 is appended to the official minutes.

AUTHORIZATION TO EXTEND GRACE PERIOD FOR PAYMENT OF TAXES FROM AUGUST 1, 2013 TO AUGUST 30, 2013

Township Administrator Naples stated we just received the tax rate and are in the process of having our third party print bills so we can send them out. The Tax Collector has advised the delay in billing will make it impossible to provide the taxpayer with the 25-day advance notice required under New Jersey law and asked if Council would approve the grace period from 8/1 to 8/30 so that residents will not incur interest on their real estate taxes.

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 #13-07-15-176 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.

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 closed session at 8:15 p.m.

A copy of resolution #13-07-15-177 is appended to the official minutes.

On the motion of Councilman Norgalis, seconded by Councilman Moench, the meeting reconvened to open session at 8:50 p.m.

On the motion of Councilman Norgalis, seconded by Councilman Kurdyla, the meeting adjourned at 8:50 p.m.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Christine Henderson-Rose
Council President