

**MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL**  
**May 6, 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, May 6, 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  
William Savo, Township Attorney  
Robert C. Bogart, Township Engineer  
Thomas Forsythe, Deputy Director of Municipal Services  
Natasha Turchan, Director of Finance  
Linda J. Doyle, Township Clerk

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

**Minutes for Approval**

On motion of Councilman Norgalis, second by Councilman Kurdyla, the following minutes were approved on a unanimous voice vote of all present:

Regular Session - April 15, 2013  
Closed Sessions 1 & 2 - April 15, 2013

**Mayor's Report**

Mayor Hayes reported as follows:

- He was a key note speaker at a state convention held by first aid responders at the Vo-Tech.
- We hosted a very successful eco-blast event on 5/5/2013 that was well

received and appreciated; biggest event we have held so far this year.

- Country Hills held their re-organization meeting last night
- As we contemplate migration to 9-1-1 County Dispatch, there is a lot to do. Meetings have been held which have provided input in order to provide analysis of this endeavor. A report to Council will be forthcoming in the near future
- Bridgewater Baseball had their 5-K run at Duke Island Park and had approximately 90 runners
- He attended Proclamations for Eagle Court of Honor where three (3) of our scouts received their eagle scouts
- He attended the Martinsville Community Center's 1<sup>st</sup> Annual Spring Music Concert

## Council Reports

Councilman Moench reported he attended the eco-blast event and the Citizen of the Year Diner. He noted The Governing Officials Meeting is coming up and urged Council to attend. He also noted he attended the opening day ceremony of Governor Christie's campaign headquarters in Bridgewater where he and Councilman Norgalis had a chance to briefly speak with the Governor in private.

Councilman Kurdyla reported he has been involved with the Block Grant Program and this Wednesday, there will be presentations from different organizations that will be making their pitches. He also reported that he, along with the Open Space Committee walked two (2) properties. The chair of that committee will be providing those rating sheets to the Township shortly. He further noted he has been attending the 9-11 migration meetings.

Councilman Norgalis reported as follows:

- Attended the Central Jersey Resource Center Meeting where they had a series of honorees
- Contacted by Pastor Todd of the North Branch Reformed Church who is actively seeking local work project ideas in Branchburg and Bridgewater. Councilman Norgalis referred that issue to Township Administrator Naples
- Attended the Employer Legislative Update Session in which Senator Kane was the speaker and provided an update on what was going on in Trenton
- Attended the Bradley Gardens Little Loop Season Kickoff event
- The Planning Board met and approved the Genova Built, LLC application for a three (3) lot subdivision on Somerville Road

- Attended the 911 dispatch presentation for fire service
- Attended the River Friendly presentation at the County owned Green Knoll Golf Course
- Attended the Somerset County Library Commission meeting where they rolled out their 5-year strategic plan. A copy of the plan was given to each Council member.
- Attended the Somerset County Business Partnership outstanding citizen of the year award

Councilman Pedroso reported he too attended the opening day ceremony of Governor Christie’s campaign headquarters.

Councilwoman Rose had nothing new to report.

**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.

The following boy scouts were present and addressed Council:  
 Matthew Perez of 1396 Catalpa Drive in Basking Ridge  
 Jake Brown of 20 Old State Coach Rd in Basking Ridge  
 Peter Ye of 61 Shields Lane in Bridgewater

Resident Bill Metz, 45 Shanon Rd. was present. He asked about the particulars of a Regional Center Partnership Meeting attended by Council President Rose who advised she will report back to Mr. Metz.

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

**INTRODUCTION  
OF NEW  
ORDINANCES**

**BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$183,587 FOR VARIOUS PUBLIC WORKS EQUIPMENT, INCLUDING AN 8 YARD DUMP TRUNK WITH SNOW PLOW, AERA-VATOR WITH RACK ROLLER, SEED BOX, SHAFT -3 POINT HITCH AND LIFT, IN AND BY THE TOWNSHIP OF BRIDGEWATER, IN THE COUNTY OF SOMERSET, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$174,404 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION**

Township Administrator Naples advised this bond will finance our capital projects.

It was Council's consensus to have our Bond Counsel revise the title of this Ordinance in order to be more transparent with the residents on what this bond entails, per Councilman Norgalis' request.

BE IT RESOLVED that the said pending ordinance be passed on first reading and advertised as required by statute fixing the 20<sup>th</sup> day of May 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 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, as amended. 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 #13-05-06-093 is appended to the official minutes.

**BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$1,800,000 FOR VARIOUS SEWER UTILITY IMPROVEMENTS INCLUDING REALIGNMENT OF SEWER MAINS AT VARIOUS LOCATIONS INCLUDING BRADLEY GARDENS AND FINDERNE AREAS, GEOGRAPHIC INFORMATION SYSTEMS (GIS), REHABILITATION OF MIDDLE BROOK PUMP STATION, EXTERIOR PUMP STATION FOR SENIOR CENTER ON SOMERVILLE ROAD, ACQUISITION OF PICK-UP TRUCK WITH SNOW PLOW AND ACQUISITION OF BOOM FLAIL MOWER, IN AND BY THE TOWNSHIP OF BRIDGEWATER, IN THE COUNTY OF SOMERSET, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$1,800,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION**

Township Administrator Naples advised this bond represents the work we will be

doing on the sanitary sewer system, including but not limited to our continued successful I&I program in the Bradley Gardens and Finderne areas, additional GIS systems as well as the rehab of other middle brook pump stations.

It was Council’s consensus to have our Bond Counsel revise the title of this Ordinance in order to be more transparent with the residents on what this bond entails, per Councilman Norgalis’ request.

BE IT RESOLVED that the said pending ordinance be passed on first reading and advertised as required by statute fixing the 20<sup>th</sup> day of May 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 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, as amended. 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 #13-05-06-094 is appended to the official minutes.

**BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$3,467,000 FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF BRIDGEWATER, IN THE COUNTY OF SOMERSET, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$3,151,650 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION**

Township Administrator Naples advised this bond largely represents the work we will be performing on road improvements this year. There is an increase of approximately \$500,000.00 from last year.

It was Council’s consensus to have our Bond Counsel revise the title of this

Ordinance in order to be more transparent with the residents on what this bond entails, per Councilman Norgalis' request.

BE IT RESOLVED that the said pending ordinance be passed on first reading and advertised as required by statute fixing the 20<sup>th</sup> day of May 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 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, as amended. 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 #13-05-06-095 is appended to the official minutes.

**AN ORDINANCE VACATING PORTIONS OF PLAINFIELD AVENUE, AND BRUNSWICK AVENUE AND ALL OF DUNELLEN AVENUE SITUATED IN THE TOWNSHIP OF BRIDGEWATER, SOMERSET COUNTY, NEW JERSEY**

Township Administrator Naples advised the Planning Board granted conditional approval to Mr. Genova for a proposed three-lot subdivision development off Somerville Rd. The vacation of certain streets was necessary in order to bring his land to conformity and avoid the need for variances. Township Engineer Bogart confirmed that he and Township Planner Doyle agree that this vacation will not negatively impact any of the adjacent property owners.

BE IT RESOLVED that the said pending ordinance be passed on first reading and advertised as required by statute fixing the 20<sup>th</sup> day of May 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 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 #13-05-06-096 is appended to the official minutes.

**AN ORDINANCE TO SET THE COMPENSATION OF THE MAYOR, TOWNSHIP COUNCIL MEMBERS, DEPARTMENT HEADS AND CERTAIN OTHER MUNICIPAL EMPLOYEES PURSUANT TO CHAPTER 374 OF THE PUBLIC LAWS OF 1985; N.J.S.A. 2A: 8-13; N.J.S.A. 40A: 9-146; N.J.S.A. 40A: 9-165, AND CHAPTER 95 OF THE PUBLIC LAWS OF 1996**

Township Administrator Naples advised with the passing of the budget, we move to the salary and wage Ordinance thereby setting the compensation for various individuals as set by statute. A 2% increase has been recommended for the department heads. The Mayor, Council President and Council's compensation will remain the same. The salaries of the municipal prosecutor and director of law are by contract, as previously set and approved. Mr. Naples agreed to provide a listing as to precisely which employees by title require Council salary review and approval under the various state statutes.

BE IT RESOLVED that the said pending ordinance be passed on first reading and advertised as required by statute fixing the 20<sup>th</sup> day of May 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 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 #13-05-06-097 is appended to the official minutes.

**Resolutions**

**AUTHORIZING THE SALE OF MUNICIPAL PERSONAL PROPERTY OWNED BY THE TOWNSHIP OF BRIDGEWATER THROUGH THE COUNTY OF SOMERSET**

Township Administrator Naples advised we will partner with the County of Somerset in conducting an auction of certain property that is no longer needed.

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 #13-05-06-098 is appended to the official minutes.

**AUTHORIZING THE TOWNSHIP OF BRIDGEWATER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY - NJ DEP BLUE ACRES PROGRAM FOR THE ACQUISITION OF PROPERTIES LOCATED IN THE RARITAN RIVER FLOODWAY**

Thomas Forsythe, Deputy Director of Municipal Services advised that the Township has been requested to approve the memorandum of understanding in regard to the buyout of homes which had had repetitive severe damage due to flooding. One property owner located at 205 Old York Rd was selected by NJDEP as they have had severe damage to their property on a recurring basis.

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 #13-05-06-099 is appended to the official minutes.

**REQUEST FOR WAIVER OF CONSTRUCTION PERMIT FEES FOR THE BRADLEY GARDENS VOLUNTEER FIRE CO. TO REMOVE AN UNDERGROUND STORAGE TANK AT 24 OLD YORK ROAD IN THE AMOUNT OF \$130.00**

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 #13-05-06-100 is appended to the official minutes.

**AUTHORIZING EXECUTION OF A SHARED SERVICE AGREEMENT FOR PRINTING SERVICE SOMERSET COUNTY PUBLIC INFORMATION OFFICE MAY 6, 2013 THROUGH MAY 6, 2023**

Township Administrator Naples advised this resolution will allow us to enter into an agreement with the County where they will provide copy and print services. He opined they provide excellent service and recommended this partnership.

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 #13-05-06-101 is appended to the official minutes.

**INTERLOCAL SERVICES PUBLIC HEALTH MUTUAL AID AGREEMENT**

Township Administrator Naples advised this is an agreement with the County in which our health department would provide mutual aid in the event of an emergency to either Somerset County or one of the other participating municipalities

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 #13-05-06-102 is appended to the official minutes.

**AUTHORIZING EXECUTION OF A DEVELOPER’S AGREEMENT BETWEEN THE TOWNSHIP OF BRIDGEWATER AND FIRST HARTFORD REALTY CORP. FOR THE DEVELOPMENT OF A CVS RETAIL AND PHARMACY STORE ON LOT 1 IN BLOCK 252 ON THE BRIDGEWATER TOWNSHIP TAX MAP**

Township Administrator Naples confirmed one of the Board of Adjustment’s conditions of approval for First Hartford Realty Corp was for them to obtain a developer’s agreement.

On motion of Councilman Kurdyla, 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 #13-05-06-103 is appended to the official minutes.

**DETERMINING THAT THE USE OF THE BRAND NAME VERSA-LOK IN THE SPECIFICATIONS FOR THE MOUNTAIN TOP AND CRIM ROAD RETAINING WALL WAS APPROPRIATE, AS SUCH PRODUCT WAS PROPRIETARY AS THAT TERM IS DEFINED IN N.J.S.A. 40A: 11- 2 & 13 AND N.J.A.C. 5:34-9.1**

Township Administrator Naples noted we have been trying to improve the site lines in this intersection for several years. We have had extensive negotiations with the property owner on the corner in order to obtain an easement. Recently, the property owner was forthcoming but requested a specific type of block which will be within our guidelines.

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 #13-05-06-104 is appended to the official minutes.

**NAMING OF HARRISON COURT LOCATED IN THE AREA OF THE SENIOR CENTER IN THE VICINITY OF SOMERVILLE ROAD**

Township Administrator Naples advised Mr. Genova has requested Harrison Court as the street name of his development.

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 #13-05-06-105 is appended to the official minutes.

**RATIFYING AND MEMORIALIZING APPROVAL OF THE BRIDGEWATER MUNICIPAL EMPLOYEES ASSOCIATION (BMEA) AGREEMENT FOR THE PERIOD FROM JANUARY 1, 2012 THROUGH DECEMBER 31, 2014**

This resolution was tabled.

**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 8:20 p.m.

A copy of resolution #13-05-06-106 is appended to the official minutes.

On the motion of Councilman Norgalis, seconded by Councilman Moench, the meeting reconvened to open session at 8:30 p.m.

On the motion of Councilman Norgalis, seconded by Councilman Kurdyla, the meeting adjourned at 8:30 p.m.

Respectfully Submitted,

Linda J. Doyle, RMC  
Municipal Clerk

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Christine Henderson-Rose  
Council President