

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
SEPTEMBER 5, 2013 COUNCIL CHAMBERS

The Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, convened in an agenda session at 6:30 p.m. and a regular session immediately thereafter on Thursday, September 5, 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 (arrived at 6:32pm)
Council President Christine Henderson Rose

Also Present: James T. Naples, Township Administrator
 Natasha Turchan, Finance Director
 William Savo, Township Attorney
 Chris Poulsen, Director of Human Services
 Linda J. Doyle, Township Clerk

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

Closed Session

BE IT RESOLVED, by the Bridgewater Township Council that this body will now hold a closed meeting to discuss 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 a closed session at approximately 6:35 p.m.

A copy of resolution #13-09-05-194 is appended to the official minutes.

On the motion of Councilman Moench, seconded by Councilman Norgalis, the meeting reconvened to open session at approximately 6:55 p.m.

DISCUSSION

GREEN KNOLL GRILLE

Pasquale Marago, Esq., Attorney for the Green Knoll Grille (GKG) was present on behalf of GKG in response to Administration's request for his attendance. Township Administrator Naples summed the reason for this discussion, noting a resident of Crossroads reported an alleged violation of the Township Noise Ordinance on 8/29 and 8/30. In an effort to further review this matter, a meeting was scheduled with Justin Carlisi, General Manager of the GKG at which time the following was determined.

1. GKG acknowledged they provided outdoor music on 8/29 and 8/30 and also arranged for noise monitoring by their acoustical consultant during the events.
2. GKG reported that a noise screen was utilized during the music events but that the materials and designed enclosure were not provided to the Fire official and Code Official for approval prior to use.
3. The materials used for acoustic screens were contrary to the sound attenuation blankets presented to Council during the hearing process on 7/15/2013
4. The materials used for acoustic screens were not provided to the Health and Fire Officials for review and approval prior to use.
5. The music provided is contrary to the calypso music as presented to Council for consideration.

Administrator Naples asked Attorney Maraga to respond to same. He summed as follows:

The noise allegation was not true.

1. The noise screen and acoustic screens they originally wanted to purchase were not available so GKG purchased screening that is similar to what was presented to Council. He further noted he was not aware these items needed approval from the Fire/Code/Health Officials
2. The music provided is what was presented and approved by Council

Council deliberated and was in consensus that GKG should make every attempt to be transparent with Administration and/or Council in the future concerning their operations at GKG.

**Public
Comment**

On motion of Councilman Norgalis, seconded by Councilman Pedroso, 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.

**Motion to
Adjourn
Agenda Mtg**

On the motion of Councilman Pedroso, seconded by Councilman Moench, the meeting adjourned at 7:25 p.m.

Following the Agenda Session, there was a short recess. The Regular Meeting commenced at 7:30 p.m.

REGULAR SESSION MEETING - 7:30PM

**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
Natasha Turchan, Finance Director
William Savo, Township Attorney
Chris Poulsen, Director of Human Services
Linda J. Doyle, Township Clerk

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

Minutes for Approval

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

Regular Session - August 19, 2013

Council Reports

Township Councilman Pedroso reported he attended the Bridgewater Police Officer's promotion ceremony.

Councilman Norgalis reported he too attended the Police Officer's promotion ceremony. He also took part in the Sikh memorial service and will be attending the dedication of the bleachers at the high school. He also recognized the 11U Baseball Team - Bridgewater Americans that was in the paper for winning the Bridgewater Summer Blast 11U Tournament. In particular, he recognized Coach Tom Cannizzo, Coach Joe Vitelli and Manager Phil Confalone, the team and their families.

Councilman Kurdyla had nothing new to report.

Councilman Moench congratulated Chris Corsini, Esq. who now works with Township Attorney Savo. He also mentioned that former Township Administrator William O'Neil passed away last week and will be dearly missed.

Councilman Moench attended the Police Officer's promotion ceremony and was the guest speaker at the Somerset County Tea Party Organization at which time he talked about issues in Municipal Government. Further, he reported he ran into Congressman Frelinghuysen who sends his best wishes to Bridgewater. He reminded everyone of the 911 Memorial Service and Somerset County Governing Official's meeting next week.

Council President Rose also attended the Bridgewater Police Officer's promotion and the 911 migration subcommittee meeting at which time she had 4-hrs of radio frequency training.

Mayor's Report

Township Administrator Naples had nothing new to report.

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.

Public
Hearing &
Final Action
Hearing

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

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. There was no further discussion.

On motion of Councilman Moench, seconded by Councilman Kurdyla, the foregoing Ordinance was proposed. 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 #13-09-12-195 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 EDGEWATER 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

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

No one wished to speak.

On motion of Councilman Kurdyla, seconded by Councilman Norgalis, the public comment portion was closed and the meeting was opened up for discussion. There was no further discussion.

On motion of Councilman Norgalis, seconded by Councilman Kurdyla, the foregoing Ordinance was proposed. 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 #13-09-12-196 is appended to the official minutes.

Introduction of New Ordinances

AN ORDINANCE VACATING PORTIONS OF MORRIS STREET SITUATED IN THE TOWNSHIP OF BRIDGEWATER, SOMERSET COUNTY, NEW JERSEY

Township Engineer Bogart discussed this Ordinance. A request was received for the vacation of a portion of Morris Street from John P Franey, the owner of Lot 9.01 Block 108 (20 Andover Avenue) and M. H. Gonzalez, the owner of Lot 5.01 Block 110 (18 Andover Avenue) a paper street consisting of one hundred and twelve feet (112'). The adjoining property owners agree to the vacation. Further one adjacent property owner wishes to cede his portion of the vacated road to the other property owner; the vacation of this portion of Morris Street shall be incorporated into existing Lot 9.01 Block 108 and become Lot 9.02 Block 108.

BE IT RESOLVED that the said pending ordinance be passed on first reading and advertised as required by statute fixing the 7th day of October 2013, at 6:30 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 Moench, 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 #13-09-12-197 is appended to the official minutes.

EMERGENCY APPROPRIATION-NJSA 40A:-4-46 - CAPITAL IMPROVEMENT FUND

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$2,000,000 FOR THE ACQUISITION OF 9-1-1 COMMUNICATIONS EQUIPMENT, IN AND BY THE TOWNSHIP OF BRIDGEWATER, IN THE COUNTY OF SOMERSET, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$1,900,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.

Township Administrator Naples stated as part of the 911 migration and the memorandum of understanding that was recently passed, this is a step in the process which will allow the CFO to appropriate the money when it is required. He further explained that once the County finalizes the communications/migration plan, we will be required to purchase communications equipment and will therefore need to have monies available for that purpose.

Councilman Moench noted he will not support this as he did not support the 911 migration. Council President Rose stated there are concerns with the migration that need to be addressed before we can move forward.

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	Nay
Councilman Norgalis	Aye
Councilman Pedroso	Aye
Council President Rose	Nay

THE RESOLUTION FAILED.

A copy of resolution #13-09-12-198 is appended to the official minutes. IT SHOULD BE NOTED THAT ALTHOUGH THIS INTRODUCTION WAS REPORTED AS "FAILED", A SUBSEQUENT REVIEW OF THE LAW BY BOND COUNCIL JOHN DRAIKIWICZ, AS REQUESTED BY THE CFO, REVEALED THAT ONLY A SIMPLE MAJORITY OF THE QUORUM PRESENT IS REQUIRED TO INTRODUCE A BOND ORDINANCE. THEREFORE THE INTRODUCTION "PASSED". THE ISSUE IS MOOT BECAUSE A BOND ORDINANCE AND FINAL APPROVAL MUST TAKE PLACE IN THE SAME CALENDAR YEAR.

Resolutions

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION UNDER THEIR 2014 MUNICIPAL AID PROGRAM FOR THE COUNTRY CLUB ROAD IMPROVEMENT PROJECT - SECTION V

Township Administrator Naples advised the monies for the above referenced grant from the Municipal Aid Program will allow us to perform improvements otherwise known as Country Club Road Improvement Project - Section V, which includes that length of Country Club Road from Garretson Road north to Rolling Hills Road.

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 #13-09-12-199 is appended to the official minutes.

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION UNDER THEIR 2014 MUNICIPAL AID PROGRAM FOR THE VOSELLER AVENUE - SECTION IV-ROAD IMPROVEMENT PROJECT

Township Administrator Naples stated the monies for the above referenced grant from the Municipal Aid Program will allow us to perform improvements otherwise known as Vosseller Avenue, Section IV-Road Improvement Project, which includes that length of Vosseller Avenue from Route 22 south to Kirsten Court.

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 #13-09-12-200 is appended to the official minutes.

AWARD OF CONTRACT TO PURCHASE A DUMP TRUCK FOR USE BY THE PUBLIC WORKS DEPARTMENT AWARD OF CONTRACT TO CAMPBELL FREIGHTLINER, LLC OF EDISON, NEW JERSEY FOR THE PURCHASE OF A 2014 SINGLE AXLE DUMP TRUCK WITH A STAINLESS STEEL DUMP BODY AND PLOW IN THE AMOUNT OF \$130,955.00

Township Administrator Naples stated this is part of our 2013 capital project for equipment.

On motion of Councilman Kurdyla, seconded by Councilman Norgalis, 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 #13-09-12-201 is appended to the official minutes.

AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL ARCHITECTURAL SERVICES FOR THE TOWNSHIP TO DENNIS KOWAL OF THE FIRM OF DENNIS KOWAL ARCHITECTS IN AN AMOUNT NOT TO EXCEED \$45,000

Township Administrator Naples stated this is the architect that will assist us with the municipal complex cost overages litigation.

On motion of Councilman Moench, seconded by Councilman Kurdyla, 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 #13-09-12-202 is appended to the official minutes.

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 Administrator Naples advised when we originally passed this resolution to undertake the process of redevelopment; we inadvertently left off additional lots owned by Eden Wood.

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 #13-09-12-203 is appended to the official minutes.

AWARD OF CONTRACT TO TILLERMAN LANDSCAPING, LLC, FOR THE BROOKDALE DRIVE GABION WALL REPAIR PROJECT IN THE SUM OF \$49,150

Township Administrator Naples advised this was an area that was disturbed during hurricane Irene and Sandy. This resolution will allow us to make repairs.

On motion of Councilman Pedroso, seconded by Councilman Moench, the foregoing resolution was proposed, as amended. 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 #13-09-12-204 is appended to the official minutes.

AUTHORIZING AWARD OF PROFESSIONAL ENGINEERING/SURVEYING/INSPECTION SERVICES CONTRACT FOR THE LIBRARY PARKING LOT RESURFACING PROJECT - PHASE 2 TO KELLER & KIRKPATRICK, INC. IN THE AMOUNT OF \$36,700.00

Township Administrator Naples provided a brief synopsis of the work. This award of contract will be for professional engineering/surveying/inspection services which will include analyzing portions of the Library Parking Lot, recommending pavement repair or replacement and overlay to extend its useful life to at least 20 years, permitting, construction stakeout and as-built, construction observation, submitting construction cost estimate and preparing plans and specifications for the Library Parking Lot Resurfacing Project - Phase 2.

On motion of Councilman Norgalis, seconded by Councilman Moench, the foregoing resolution was proposed, as amended. 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 #13-09-12-205 is appended to the official minutes.

**AUTHORIZING AWARD OF PROFESSIONAL ENGINEERING/SURVEYING/
INSPECTION SERVICES CONTRACT FOR THE COUNTRY CLUB ROAD
IMPROVEMENT PROJECT - PHASE IV (US ROUTE 22 TO GARRETSON ROAD) TO
MASER CONSULTING, P.A. IN THE AMOUNT OF \$157,000.00**

Township Administrator Naples provided a brief synopsis of the work. This award of contract will be for professional engineering/surveying/inspection services which will include analyzing portions of Country Club Road, recommending pavement repair or replacement and overlay to extend its useful life to at least 20 years, permitting, construction stakeout and as-built, construction observation, submitting construction cost estimate and preparing plans and specifications for the Country Club Road Improvement Project - Phase IV (US Route 22 to Garretson Road);

On motion of Councilman Moench, 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 #13-09-12-206 is appended to the official minutes.

**AUTHORIZING AWARD OF PROFESSIONAL ENGINEERING/SURVEYING/
INSPECTION SERVICES CONTRACT FOR THE VANDERVEER ROAD (MURPHY
DRIVE TO ROUTE 28) AND WALTERS BROOK DRIVE (TRACI DRIVE TO ROUTE 22)
ROAD IMPROVEMENT PROJECT TO CARROLL ENGINEERING IN THE AMOUNT OF
\$66,390.00**

Township Administrator Naples provided a brief synopsis of the work. This award of contract will be for professional engineering/surveying/inspection services which will include analyzing portions of Vanderveer Road and Walters Brook Drive, recommending pavement repair or replacement and overlay to extend its useful life to at least 20 years, permitting, construction stakeout and as-built, construction observation, submitting construction cost estimate and preparing plans and specifications for the Vanderveer Road (Murphy Drive to

Route 28) and Walters Brook Drive (Traci Drive to Route 22) Road Improvement Project

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 #13-09-12-207 is appended to the official minutes.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Christine Henderson-Rose
Council President