

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
AUGUST 19, 2019 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, 2019 at 7:30 p.m. in Council Chambers in the Municipal Complex, Bridgewater, New Jersey 08807.

Acting Council President Norgalis 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 9, 2019 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
Filipe Pedroso
Christine Henderson-Rose
Council Vice President Howard Norgalis
Council President Matthew C. Moench (absent)

Also Present: James T. Naples, Township Administrator
Christopher Corsini, Township Attorney
Linda Doyle, Township Clerk

Acting Council President Norgalis led the audience in the Pledge of Allegiance.

Minutes

On motion of Councilman Kurdyla, seconded by Councilwoman Rose, the August 5, 2019 regular session minutes were moved for approval and passed on a unanimous voice call vote. The August 5, 2019 closed session minutes were passed around for approval.

Council Reports

Councilman Pedroso:

- Nothing new to report.

Councilman Kurdyla:

- Nothing new to report.

Councilwoman Rose:

- Had the opportunity to link up with Serena Patel, a sophomore working on her gold award project and is doing a then and now display of historic houses. She will be featured at the Somerset County Library, Bridgewater

branch on September 2nd. She will also be present for the Martinsville Community Center's annual fall festival to showcase her presentation.

- Hobbstown Celebration is set for August 25th. Councilwoman Rose stated she will be on vacation and unable to attend but hoped that everybody can join this community in celebrating the redesignation of Hobbstown.
- Engineer Chip Mills has been working with the history committee and recently had someone reach out to him stating they were doing an ancestral search through ancestry.com and discovered that several of her relatives were buried in the Lane Cemetery off Shields Road in Bridgewater. She added that she is prepared to undertake a project of upgrading, renovating and cleaning up the cemetery in honor of her family members who she believes are buried there.

Councilman Norgalis:

- Was contacted by Reporter Olivia Rizzo who was doing research on an article related to the Hobbstown Resolution Department of Commerce issue we enacted earlier this year. He gave her the background as he knew it including the thought that the Hobbstown Community has been a part of the fabric of Bridgewater going back decades.
- Was contacted by Roberta Heller, daughter of Norma Hancock, who continues to seek township support to name the former family property on North Bridge as a township park.
- After hearing testimony at three meetings the Planning Board is very close to voting on the Choice Hotel / Goddard School application next to Houlihans on Route 22.
- Also at the Planning Board the redevelopment issue at the ballpark, at the request of ballpark tenant Steve Kalafer, will soon be back on the agenda. Mr. Kalafer and County Attorney Bill Cooper have agreed that an independent Planner will be engaged to look into this issue and Mr. Kalafer will cover all costs incurred.

Mayor's Reports

Township Administrator Naples:

- Nothing new to report.

Public Comment

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

John Seebu, 117 Mountainside Lane was present. He stated that he and some of his neighbors were before the governing body on July 1, 2019 to discuss the dangerous and extremely dilapidated condition of their road which has not been serviced for the last 35-years. Work was started but then stopped due to some dispute.

Mr. Seebu continued to explain that a letter was received from Anthony Gallo, Engineering manager on July 17th stating that work would resume on Monday, July 22nd but work is yet to commence and the road continues to be very dangerous. Township Administrator Naples stated a letter was sent out today to all the residents and hand delivered this afternoon. Construction was delayed again from July 22nd as the contractor could not obtain the pipe that was needed in order to finish the job. The contractor has committed to commence work this week.

Jim Vitale, 771 West Foothill Road was present. He stated that in early June, he received a violation notice for having a recreation vehicle and trailer on his property. According to the Township Ordinances, a property owner is only allowed one (1) such vehicle. He emailed the Mayor and Council requesting a meeting to discuss this and was told he had to comply with the Ordinance. Mr. Vitale confirmed that he had been contacted by Councilman Norgalis and advised that he should “get compliant with the ordinance requirements”. Although he has since complied with this regulation, he asked if there are any discussions underway that will ensure the other eighty seven (87) property owners that are in violation are made to comply. Mr. Vitale was asked to provide a list of those property owners that are not in compliance to Township Administrator Naples for follow-up.

Cathy Franco, 766 Weemac Road was present. She asked for information regarding interest on bonds. Township Administrator Naples will forward that information to her. On request of Ms. Franco, the Salary and Wage Ordinance was provided to her. On question of Ms. Franco, Township administrator Naples stated that once the demolition on Camp Cromwell is completed, gravel parking lots will be built that will allow for access to the park and trails.

On motion of Councilman Pedroso, seconded by Councilwoman Rose, the meeting was closed to the public.

Public
Hearing &
Final Action
Ordinances

AN ORDINANCE APPROVING EXTINGUISHMENT OF AN EXISTING ACCESS EASEMENT AS SHOWN ON FILED MAP #2762 IN THE SOMERSET COUNTY CLERK’S OFFICE AND SANITARY SEWER EASEMENT RECORDED IN THE SOMERSET COUNTY CLERK’S OFFICE ON SEPTEMBER 12, 1979, AT DEED BOOK 1407, PAGE 489, FOR PROPERTY ON NORTH CROSSING BOULEVARD, BLOCK 718, LOT 141.08, 141,07, AND 141.06

Township Administrator Naples stated this is being done at the request of CRC

communities who has requested that the Township extinguish two (2) easements. The easements to be extinguished are related to the prior use of the property and are no longer necessary. Their extinguishment is a condition of Planning Board approval as show on the Final Plat.

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

No one wished to be heard.

On motion of Councilwoman Rose, seconded by Councilman Kurdyla, the public comment portion was closed.

On motion of Councilwoman Rose, seconded by Councilman Kurdyla, the foregoing Ordinance was proposed. The vote was as follows:

Councilman Kurdyla	Aye
Councilman Pedroso	Aye
Councilwoman Rose	Aye
Council Vice-President Norgalis	Aye
Council President Moench	Absent

ORDINANCE #19-15 WAS ADOPTED.

A copy of resolution [#19-08-19-187](#) is appended to the official minutes

Introduction
of
Ordinances

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:809; N.J.S.A. 2A:8-13; N.J.S.A. 40A:9-165; N.J.S.A.40A:9-135; N.J.S.A. 40A:9-146, AND CHAPTER 95 OF THE PUBLIC LAWS OF 1996

Township Administrator Naples explained the Mayor, Township Council President, Township Council and the Municipal Judge will receive no increase. The other individuals are receiving a 2% increase that was included in the 2019 budget.

On motion of Councilwoman Rose, seconded by Councilman Kurdyla, the foregoing Ordinance was proposed. The vote was as follows:

Councilman Kurdyla	Aye
Councilman Pedroso	Aye
Councilwoman Rose	Aye
Council Vice-President Norgalis	Aye
Council President Moench	Absent

ORDINANCE #19-16 WAS ADOPTED.

A copy of resolution [#19-08-19-188](#) is appended to the official minutes

Linda J. Doyle, Township Clerk read the following report:

BE IT FURTHER RESOLVED, that the said pending ordinance be passed on first reading and advertised as required by statute fixing the 5th day of September, 2019, 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.

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.

AN ORDINANCE APPROVING VACATING TWO EXISTING STORM DRAINAGE EASEMENTS LOCATED AT 11 AND 13 STELLA DRIVE; BLOCK 633, LOT 6 AND 7: THE EASEMENTS ARE 15 FEET WIDE AND RUN FROM STELLA DRIVE IN FRONT OF BLOCK 633, LOT 7, KNOWN AS #13 STELLA DRIVE THROUGH BLOCK 633 LOT 6, KNOWN AS #11 STELLA DRIVE IN THE TOWNSHIP OF BRIDGEWATER, SOMERSET COUNTY, NEW JERSEY

Township Administrator Naples explained the owners of 11 Stella Drive approached the Township wishing to put a pool in their backyard but were unable to because of the existing easement. The Township contacted the owners of 13 Stella Drive because part of the easement goes across their front yard. The easement is no longer necessary because it was part of an old existing drainage that was improved in 2005-2006 during the reconstruction of Stella Drive.

On motion of Councilwoman Rose, seconded by Councilman Kurdyla, the foregoing Ordinance was proposed. The vote was as follows:

Councilman Kurdyla	Aye
Councilman Pedroso	Aye
Councilwoman Rose	Aye
Council Vice-President Norgalis	Aye
Council President Moench	Absent

ORDINANCE #19-17 WAS ADOPTED.

A copy of resolution [#19-08-19-189](#) is appended to the official minutes

Linda J. Doyle, Township Clerk read the following report:

BE IT FURTHER RESOLVED, that the said pending ordinance be passed on first

reading and advertised as required by statute fixing the 5th day of September, 2019, 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.

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.

Resolutions

AUTHORIZING BRIDGEWATER TAX COLLECTOR DARROW MURDOCK TO CONDUCT AN ELECTRONIC TAX SALE

Township Administrator Naples explained electronic tax sales have been successful in the past and same is anticipated.

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

Councilman Kurdyla	Aye
Councilman Pedroso	Aye
Councilwoman Rose	Aye
Council Vice-President Norgalis	Aye
Council President Moench	Absent

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#19-08-19-190](#) is appended to the official minutes.

AUTHORIZATION TO EXECUTE COLLECTIVE BARGAINING AGREEMENT BETWEEN TOWNSHIP OF BRIDGEWATER AND BRIDGEWATER TOWNSHIP BRIDGEWATER PUBLIC WORKS ASSOCIATION (BPWA) FROM JANUARY 1, 2019 THROUGH JUNE 30, 2020

Township Administrator Naples explained changes to the current agreement have been redlined. He added administration looks forward to resolving this negotiation.

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

Councilman Kurdyla	Aye
Councilman Pedroso	Aye
Councilwoman Rose	Aye
Council Vice-President Norgalis	Aye
Council President Moench	Absent

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#19-08-19-191](#) is appended to the official minutes.

AUTHORIZING CHANGE ORDER NO. 1/ FINAL CHANGE ORDER INCREASING THE PRICE FROM \$246,850.00 TO \$278,185.30, WHICH IS AN INCREASE OF 12.69% OR \$31,335.30 FROM THE ORIGINAL CONTRACT AMOUNT, AND FINAL PAYMENT TO DULAINÉ CONTRACTING, INC., 904 MCKINLEY ST, BRIDGEWATER TOWNSHIP, NJ 08807 AND AUTHORIZING ACCEPTANCE OF THE PROJECT AND RELEASE OF PERFORMANCE GUARANTEE AND ACCEPTANCE OF THE MAINTENANCE BOND FOR SOMERVILLE ROAD PUMP STATION IMPROVEMENT PROJECT FUNDED THROUGH THE 2014 & 2015 SEWER IMPROVEMENTS

Councilman Pedroso expressed concern about the increase in change order noting these are professionals who should be able to foresee anticipated expenses and not require change orders.

AUTHORIZING CHANGE ORDER NO. 1/ FINAL CHANGE ORDER DECREASING THE PRICE FROM \$1,045,500.00 TO \$996,712.75, WHICH IS A DECREASE OF 4.67% OR (\$48,787.25) FROM THE ORIGINAL CONTRACT AMOUNT, AND FINAL PAYMENT TO PERFORMANCE PIPELINING, INC., (1719 ROUTE 10, SUITE 225, PARSIPPANY, NJ 07054) AND AUTHORIZING ACCEPTANCE OF THE PROJECT, RELEASE OF THE PERFORMANCE GUARANTEE, AND ACCEPTANCE OF THE MAINTENANCE BOND FOR THE 2013 BRADLEY GARDENS AREA SANITARY SEWER REHABILITATION PROJECT, FUNDED THROUGH THE 2013 SEWER IMPROVEMENT FUND

On motion of Councilwoman Rose, seconded by Councilman Kurdyla, the foregoing resolutions were proposed. The vote was as follows:

Councilman Kurdyla	Aye
Councilman Pedroso	Abstain
Councilwoman Rose	Aye
Council Vice-President Norgalis	Aye
Council President Moench	Absent

THE RESOLUTIONS WERE ADOPTED.

Copies of resolutions [#19-08-19-192 thru #19-08-19-193](#) are appended to the official minutes.

AUTHORIZING THE EXECUTION OF A RECOGNITION AND ATTORNMENT AGREEMENT BETWEEN VERIZON WIRELESS, GAELIC COMMUNICATIONS AND THE TOWNSHIP OF BRIDGEWATER

Township Attorney Savo stated we had litigation involving a cell tower that was proposed to be built in the middle of a residential area. The application, having been denied by the Zoning Board took an appeal to the federal court and the

Judge felt the Township should settle the case. The Township found a site that was not visible, put it up for bid and the winning bidder was Gaelick Communications. Part of the lease provides that they may sublease portions of the tower and put other tenants on it.

Gaelic is in negotiations with Verizon to be a sub-tenant and Verizon is requesting the Township to recognize them as a sub-tenant and further stipulates that as long as Verizon is not in default of the terms of its Lease, it shall be obligated to make any payments required by the Prime Lease.

Councilman Pedroso stated he has always felt the height proposed was excessive and there has not been documentation to show that Verizon wireless needs this tower. He added the height will impact the neighbors and neighborhood.

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

Councilman Kurdyla	Aye
Councilman Pedroso	Nay
Councilwoman Rose	Aye
Council Vice-President Norgalis	Aye
Council President Moench	Absent

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#19-08-19-194](#) is appended to the official minutes.

Township Attorney Savo left the dais due to a conflict of interest with the remaining items.

AWARD OF CONTRACT TO IBN CONSTRUCTION CORP. (49 HERMON ST, NEWARK, NJ 07105) FOR THE DEMOLITION OF POOLS AT CAMP CROMWELL, IN THE SUM OF \$49,748.00, FUNDED THROUGH THE OPEN SPACE FUND

AUTHORIZING DISBURSAL OF \$46,240 FROM THE AFFORDABLE HOUSING TRUST FUND FOR RENOVATIONS AND REPAIRS TO AFFORDABLE HOUSES OWNED BY COOPERATIVE HOUSING CORPORATION, A NON-PROFIT CORPORATION, PROVIDING AFFORDABLE HOUSING IN THE TOWNSHIP OF BRIDGEWATER FOR PROPERTY LOCATED AT 1402-1404 PRINCE RODGERS AVENUE

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

Councilman Kurdyla	Aye
Councilman Pedroso	Aye
Councilwoman Rose	Aye
Council Vice-President Norgalis	Aye
Council President Moench	Absent

THE RESOLUTIONS WERE ADOPTED.

Copies of resolutions [#19-08-19-195 thru #19-08-19-196](#) are appended to the official minutes.

Adjournment On the motion of Councilwoman Rose, seconded by Councilman Kurdyla, the meeting adjourned at approximately 8:11pm.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Matthew Moench
Council President