

**MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
JULY 20, 2020 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 20, 2020 at 7:30 p.m. via electronic communication.

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 3, 2020, WITH A SUBSEQUENT MEETING NOTICED ON JULY 15, 2020 IN ACCORDANCE WITH N.J.S.A. 10:4-6 ET SEQ. AS AMENDED TO PERMIT PUBLIC BODIES AS THEREIN DEFINED TO CONDUCT PUBLIC MEETINGS BY MEANS OF COMMUNICATION OR OTHER ELECTRONIC EQUIPMENT, AND WITH WRITTEN NOTICE AND ELECTRONIC NOTICE PROVIDED TO THE COURIER NEWS AND THE STAR LEDGER, POSTING ON THE WEBSITE AND THE BULLETIN BOARD IN THE MUNICIPAL BUILDING, AND FILING WITH THE TOWNSHIP CLERK.

On call of the roll, the following Council members were present:

Councilman Michael Kirsh
Councilman Allen Kurdyla
Councilman Timothy Ring
Council Vice President Filipe Pedroso (joined at 8:08pm)
Council President Howard V. Norgalis

Also Present: Wells Winegar, Deputy Administrator
Scott Maraldo, Director of Constituent Relations
Christopher Corsini, Township Attorney
Grace Njuguna, Deputy Township Clerk

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

Minutes

JULY 6, 2020 - REGULAR SESSION

On motion of Councilman Kirsh, seconded by Councilman Kurdyla, the July 6, 2020 regular session minutes were moved for approval and passed unanimously on a voice call vote.

Council Reports

Councilman Kirsh

- Councilman Kirsh stated that shortly after the last Council meeting, he attended the swearing in ceremony of Police Chief Payne.

- The 2020 Primary election occurred the day after the last Council

meeting. The drop box for mail-in ballots was a great success. He hoped our residents can continue to use this convenient service in future elections.

- There will be an in person high school graduation ceremony at TD Bank ballpark. Graduates and their families will have to follow strict guidelines. They expect to have two separate graduation sessions with approximately 150 people in each.
- In early August, the Board of Education expects to have a plan for the next school year. The plan will primarily be determined by what the State guidelines are.
- Councilman Kirsh provided updates as far as the Planning Board and applications with PSE&G and Verizon Wireless regarding cell towers. Both entities are talking and hopefully they can work together.
- Councilman Kirsh stated that while the pandemic continues, he is happy that the numbers are moving in the right direction. He added that we need to remain vigilant and continue to support those affected.

Councilman Kurdyla:

- Will be meeting at the Municipal building with Thomas Genova, Director of Municipal Services and Wells Winegar, Deputy Township Administrator to discuss the concerns of a resident on Frontier Road.
- Councilman Kurdyla stated we have lost Jim Kennedy, a long term member of the Martinsville fire Department and who was previously a fire commissioner. His contributions are evident and he will be missed.

Councilman Ring:

- During the recent Primary Election, Councilman Ring stated that he spent some time at the Senior Center observing the election. One of the poll workers was extremely complimentary of the changes that have taken place since Jennifer Osterberg, Senior Services coordinator commenced her employment noting the center has a warm and inviting feel to it and is very happy that Jennifer is running the Center. Councilman Ring stated that while he had passed this information onto Christine Madrid, Director of Human Services, he personally thanked her later that week during the Blood Drive at the Center, and also wanted to publicly say Thank You to Jennifer.
- Councilman Ring stated there was a recent Nextdoor post, in which a

resident was expressing concerns about a recent tax bill from the town. It was suggested to him that he reach out to Office of Constituent Relations for assistance. Within 30 minutes, the resident posted a thank you, complimenting how quickly and professional Scott Maroldo, Director of Office of Constituent Relations was in addressing his concerns.

- On July 8, Councilman Ring attended the swearing in of Police Chief Paul Payne. Congratulations to Chief Payne on his well-earned promotion.
- Councilman Ring hoped that administration can provide Council an update on the resident concerns at Hawthorne Road.

Council President Norgalis:

- With regard to Councilman Ring's question about the resident on Hawthorne Road, Council President Norgalis stated the yard was cleaned up to the satisfaction of Code Enforcement. Township Attorney Corsini stated this house is in the process of being placed on the market.
- Council President Norgalis stated Bridgewater lost another emergency service icon with the passing of long time Martinsville Firefighter Jim Kennedy. Besides being a fire fighter and Fire Commissioner, Jim was also active in the Somerset County 200 Club which honors first responders.
- Attended the swearing in ceremony for Bridgewater Police Chief Paul Payne. It is richly deserved as he has served as "acting" during one of the townships most trying times. An additional police recognition ceremony is planned for the near future.
- Mayor Moench announced the honorary naming of Ardsley La to recognize World War II veteran Frank DeVito who live son that street. The sign is installed at the Intersection of Country Club Rd and Ardsley Lane and was very well done. It depicts the various medals awarded to Mr. DeVito for his extensive military service.
- Participated in several Office of Emergency Management conference calls where items discussed included: High School graduation at the ballpark, the distribution of COVID supplies and an update on the Chemical industry material handling in the town.
- Attended the Somerset County Secure Shred activity in Bedminster. They had three trucks and ample personnel to handle the large crowd.

Mayor's Reports

Mayor Matthew C. Moench

- Mayor Moench stated at the last meeting, Council renamed the Monmouth avenue recreation field to “David and Phillip Miller Park”. He was sad to report that David Miller recently passed away. He added however, that David Miller was alive long enough to know that the park was named in his honor.
- Mayor Moench reported on the swearing in ceremony for Police Chief Paul Payne noting his gratitude for those that attended and participated. There will soon be an award ceremony for certain vacant positions and to fill “acting” roles as well as some police swearing-in.
- Mayor Moench discussed On-point, a program where the Police Department works with social workers to funnel those people who need social help in the right direction. It appears the County will pilot this program and is thrilled as there may be an opportunity to partner with them. More information on this will follow.
- Met with new Superintendent of schools, Dr. Thomas Ficarra. This was a get-to-know-you meeting. Mayor Moench hopes to continue having a good relationship with the school district.

2020 BUDGET

2020 MUNICIPAL BUDGET

Mayor Moench explained this was a tough year as administration had to make tough decisions with regard to this budget. He explained that we had \$45M anticipated revenue but could only raise \$42, 920,000 due to the pandemic. To make up the difference, administration was forced to make hard decisions including laying off employees and not filling vacancies.

Mayor Moench stated administration is proposing a 1.94% tax increase, adding the average tax bill will go up by approximately \$3 depending on average home value.

Mayor Moench stated his administration is committed to meet the promises made to the residents as far as development and infrastructure and having a government that is highly responsive to the needs and safety of our residents.

Councilman Ring stated he previously had questions which have since been addressed.

Council President Norgalis stated this was a tough budget adding he recognizes and understands the plausible significant revenue losses possibly into next year and is therefore proud of administration and the folks who worked on this

budget to make it happen.

**Public
Comment**

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

Members of the public wishing to address the Council on any matter will be allowed to provide public input via electronic transmission with all comments to be read into the record, unless there are unusual circumstances.

There was a four (4) minute recess to allow the public additional time to submit public comment via the link/portal provided.

It was noted that the break in the meeting is to allow for public comment and to provide additional opportunity for “public hearing” input on the 2020 Municipal Budget (agenda item 8).

On motion of Councilman Kurdyla, seconded by Councilman Pedroso, the meeting was opened to the public for comment regarding the public hearing and final action Ordinances.

Following recess, on the call of the roll by Deputy Township Clerk Njuguna, the following Council members were present:

Councilman Michael Kirsh
Councilman Allen Kurdyla
Councilman Timothy Ring
Council Vice President Filipe Pedroso
Council President Howard V. Norgalis

Scott Maraldo, Director of Constituent Relations read the following resident comment into the record verbatim:

Patti Beitz - 2187 Perrine Road

So pleased with the transparency this entire administration has given us to date. I am impressed with the detail and the video content of the Township Engineer and Mayor’s explanation of all the upcoming details and potential schedule of our infrastructure being addressed, which has never been been discussed in such an open and honest way when asked in the past. I have lived in Martinsville for 64 years. Any questions I have presented this year have received more attention than in the past 20 plus, also researched and responded to with sincerely genuine feedback. Thank you for making our concerns a priority. I am pleasantly surprised by this change and looking forward to more virtual discussions that we may all be a part of.

John Iacuzzo - 187 Meadow View Road

What discussions are underway by the Township Council and Board of Education concerning timing and precautions for the opening of our schools this fall?

Cathy Franco - 766 Weemac Road

A number of questions were asked at the budget introduction meeting and memorialized in the minutes of that meeting - could the Mayor or Council please provide answers to these questions.

The following residents spoke:

Harold Glasser - 9 House Court

Mr. Glasser thanked the Mayor and administration for making it easy to participate in these meetings. Mr. Glasser spoke at length concerning allocation of tax monies to the police department and suggested that some of those funds should be utilized in programs that offer social services noting that Bridgewater and other municipalities are suffering due to risk factors associated with COVID-19. He also expressed concern over use of force with the police department and suggested that administration look into this.

James Schenk - 17 Bushear Court

Thanked Councilman Kirsh for information on the towers and for following up on behalf of the residents.

Daniel Lima - South Bound Brook.

Mr. Lima stated that as a resident of Somerset County, he echoed the sentiments of Mr. Glasser expressing concern over cuts to social services and public health especially in the midst of a pandemic noting the nursing homes have experienced the highest number of deaths. He questioned how administration proposes to help those in the homes. He suggested that funds be relocated from the police department and dispersed to programs that cater to social services.

Wells Winegar, Deputy Township Administrator read the following comments into the record:

Michelle Smith 662 foothill road

In case I can't get audio, my comment is a compliment for Timothy Ring and his Facebook group that gives daily comments on not only COVID but what businesses are open, etc. It really helps.

Cathy Franco 766 Weemac

Additional questions. Could you explain the significant increase in "legal" line item. And also what appears to be a significant decrease in reserves

Allen Papp 1367 Plymouth Rd.

I understand the budget this year is challenging but I looked at the details of the proposed budget and don't understand why we're furloughing or eliminating 24 positions and cut the roads budget while nearly doubling the Township Administrators budget and adding over three hundred thousand or approx 5% to the police department for increased policing?

Dameon Stackhouse 9 Monmouth Ave,

My name is Dameon. I would like to express along with several others our concerns about the proposed budget. The repeated killings of Black individuals around the country at the hands of police has caused many of us to look inwards to see how local governments are protecting our communities. It would be naive to believe that the Bridgewater PD, built on the same systemic foundations as police departments across America, is somehow immune from those same risks and failings. In fact, data shows that the rate of force used by Bridgewater police is 38.5 incidents per 1,000 arrests, a rate of force higher than big cities like Jersey City, Newark, and Trenton. More strikingly, black residents make up 29.8% of arrests in Bridgewater when they make up only 3% of the population. I want to ask Mayor Moench, how does the proposed budget, one that increases the police budget by over \$300,000, help Bridgewater residents?

Councilman Kirsh made motion to close the public input. The motion was seconded by Councilman Ring and passed unanimously on a voice call vote.

Council President Norgalis in response to Ms. Franco's comment explained that we are in litigation with the Center of Excellence and anticipate more legal work through the remainder of the year.

Mayor Moench stated there is no specific program being cut or any service that has been proposed and is not moving forward in order to provide additional funding to the police department. He offered he did not believe in reallocating funds from our police department adding that the On-Point program that he discussed earlier will allow our police department to reach out to our community members that need help. Administration is looking to fund the police department with the resources they need to protect us and also give them the support they need to reach members of our community that need assistance. Mayor Moench added our OEM coordinator continues to prepare for the ongoing pandemic and any other problems that may arise in the future.

With regard to comment regarding potentially problematic police officers, Mayor Moench assured the residents that none of our police officers are problematic and we will continue to have a top notch department and that they have all the training they need. Mayor Moench added that our police

department on its own went out to get special and most updated training on how to properly do a compliance hold.

Councilman Norgalis supported Mayor Moench's comments with regard to the police department.

Councilman Kirsh supported Mayor Moench's comments regarding the police department adding we are funding the police at a rate that is appropriate and noted this department is not operating at full capacity as was suggested.

Councilman Ring stated there has been a steady decline of police force within our Police Department. Cutting the budget does not lessen use of force, rather, additional training will reduce use of force.

Councilman Pedroso stated that while it is true there are bad apples in some police departments, defunding our Police Department does not solve the problem. We need to encourage and support law and order. Our Police Department in his opinion are professional, well trained and doing the best they can to provide equal and fair treatment to all people.

Councilman Kurdyla stated he concurred with Mayor Moench and Councilman Kirsh comments.

2020 BUDGET

2020 MUNICIPAL BUDGET

Municipal Operating Expense: \$43,259,860.79

Sewer Utility Expense: \$11,547,824.83

Councilman Kirsh stated he is convinced this budget is a fair solution to an extraordinary problem that we are facing. In the face of considerable reduction in income and increase in expense, the administration and budget committee did everything they could to consider ways to address an unprecedented situation. He added this is a strong and best solution available at this time.

Councilman Kurdyla expressed he supports the budget but is concerned about the level of service that we can provide. He added he will give the benefit of doubt for all the work that has gone into this budget but that we should be prepared to make any adjustments at the end of the year if necessary.

Councilman Ring stated there is no question this is the toughest budget the Council has had to endure. Part of his responsibility is ensuring we keep taxes as low as possible so approving the budget that has a tax increase with a reduction in staffing is not something that he takes lightly but under the circumstances, he is confident and those that have worked on this budget have done their due

diligence and left no stone unturned. In light of everything and while this is not an ideal situation, he supports this budget.

Councilman Pedroso stated he has been on the Council's Finance Subcommittee almost every year and sat on the Township Council for eight years and this is by far the most challenging budget we have faced. He added we have faced unprecedented circumstances as the income we would normally make is not there due to the pandemic. He opined this budget does not cut any services that we can provide under the umbrella of COVID -19 adding the budget takes responsible action by ensuring the taxpayer does not pay taxes for things we do not need or do not have at the moment.

Council President Norgalis stated we faced the perfect storm as the pandemic impacted us in many ways and while he does not like the budget in terms of the things that it cannot do to move us forward, he supports it because the decisions being made are the right ones. Councilman Norgalis stated this is the best we can do under the current circumstances.

On motion of Councilman Kirsh, seconded by Councilman Ring, the 2020 Municipal Budget was approved. The vote was as follows:

| | |
|--------------------------------|-----|
| Councilman Kirsh | Aye |
| Councilman Kurdyla | Aye |
| Councilman Ring | Aye |
| Council Vice President Pedroso | Aye |
| Council President Norgalis | Aye |

THE [2020 MUNICIPAL BUDGET](#) WAS APPROVED.

A copy of resolution [#20-07-20-189](#) is appended to the official minutes

Resolutions

CERTIFICATION OF 2019 AUDIT WITH GROUP AFFIDAVIT

Council President Norgalis stated the group affidavit is for every member of the governing body to sign a document which confirms they are familiar with the audit document.

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

| | |
|--------------------------------|-----|
| Councilman Kirsh | Aye |
| Councilman Kurdyla | Aye |
| Councilman Ring | Aye |
| Council Vice President Pedroso | Aye |
| Council President Norgalis | Aye |

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#20-07-20-190](#) is appended to the official minutes

AUTHORIZATION TO EXECUTE AGREEMENT WITH THE BOARD OF CHOSEN FREEHOLDERS OF SOMERSET COUNTY FOR 2020 RECYCLING IN THE AMOUNT OF \$408,501.00

Council President Norgalis explained that this resolution was tabled a month ago pending amendment/revision by the County. The County has agreed to make changes and provide proper wording for the contract in 2021.

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

| | |
|--------------------------------|---------|
| Councilman Kirsh | Aye |
| Councilman Kurdyla | Aye |
| Councilman Ring | Abstain |
| Council Vice President Pedroso | Aye |
| Council President Norgalis | Aye |

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#20-07-20-191](#) is appended to the official minutes

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE STONY BROOK DRIVE IMPROVEMENT PROJECT-SECTION I UNDER THEIR 2021 MUNICIPAL AID PROGRAM IN THE AMOUNT OF \$400,000.00

Mayor Moench explained this resolution will allow us to make application for grant monies from New Jersey Department of Transportation.

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

| | |
|--------------------------------|-----|
| Councilman Kirsh | Aye |
| Councilman Kurdyla | Aye |
| Councilman Ring | Aye |
| Council Vice President Pedroso | Aye |
| Council President Norgalis | Aye |

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#20-07-20-192](#) is appended to the official minutes

AWARD OF CONTRACT TO DIVINE PROFESSIONAL CLEANING SERVICES INC., 2253 CINCINNATUS AVENUE OF BRONX, NEW YORK, 10466 FOR CUSTODIAL SERVICES FOR THE MUNICIPAL BUILDING, POLICE BUILDING, PUBLIC WORKS AND THE SENIOR CENTER IN THE AMOUNT OF \$62,208.00 FOR THE CONTRACT PERIOD OF AUGUST 1, 2020 THROUGH JULY 31, 2021

Council President Norgalis explained that the original lowest bidder, NSI withdrew their bid having realized they had made a mistake. Michael Pappas, Township Administrator stated that this contract stipulates additional protocols for sanitization.

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

| | |
|--------------------------------|-----|
| Councilman Kirsh | Aye |
| Councilman Kurdyla | Aye |
| Councilman Ring | Aye |
| Council Vice President Pedroso | Aye |
| Council President Norgalis | Aye |

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#20-07-20-193](#) is appended to the official minutes

AUTHORIZING CHANGE OF SCOPE TO THE PROFESSIONAL SERVICES CONTRACT INCREASING THE CONTRACT PRICE BY THE SUM OF \$29,500.00 FOR ADDITIONAL CONSTRUCTION OBSERVATION SERVICES FOR THE PINE STREET SANITARY SEWER REHABILITATION AND RESTORATION PROJECT WITH KELLER & KIRKPATRICK, INC. 301 GIBRALTAR DRIVE, SUITE 2A, MORRIS PLAINS, NJ 07950 FROM THE CONTRACT PRICE OF \$79,900.00 TO \$109,400.00 FUNDED THROUGH THE 2017 CAPITAL SEWER FUND

Council President Norgalis explained that the change of scope for this project will increase the contract price by the sum of \$20,825 and not \$29,500 as originally presented. Township Attorney Corsini agreed that the recommended change was in order and the resolution can be approved as amended. The following title of the resolution showing the correct information was read into the record:

AUTHORIZING CHANGE OF SCOPE TO THE PROFESSIONAL SERVICES CONTRACT INCREASING THE CONTRACT PRICE BY THE SUM OF \$20,825.00 FOR ADDITIONAL CONSTRUCTION OBSERVATION SERVICES FOR THE PINE STREET SANITARY SEWER REHABILITATION AND RESTORATION PROJECT WITH KELLER & KIRKPATRICK, INC. 301 GIBRALTAR DRIVE, SUITE 2A, MORRIS PLAINS, NJ 07950 FROM THE CONTRACT PRICE OF \$79,900.00 TO \$100,725.00 FUNDED THROUGH THE 2017 CAPITAL SEWER FUND

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

| | |
|--------------------------------|-----|
| Councilman Kirsh | Aye |
| Councilman Kurdyla | Aye |
| Councilman Ring | Aye |
| Council Vice President Pedroso | Aye |
| Council President Norgalis | Aye |

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#20-07-20-194](#) is appended to the official minutes

AWARD OF CONTRACT TO TOP LINE CONSTRUCTION CORP. (22 FIFTH STREET, SOMERVILLE, NJ 08876) FOR THE BWT-6 ROAD IMPROVEMENT PROJECT (INCLUDES THE ENTIRE LENGTHS OF ARROWBROOK DRIVE, BROOKDALE DRIVE, SOUTH KNOB, TULLO ROAD, AND VALLEY VIEW ROAD), IN THE SUM OF \$802,572.79, FUNDED THROUGH THE 2018 AND 2020 CAPITAL FUND

Mayor Moench stated he was thrilled that the bid for this project came in at \$50,000 less than what was budgeted. While the Council was appreciative of this, they expressed their frustration that the previous lowest bidder withdrew their bid, noting that this is becoming a common practice. Discussion pursued regarding whether there is any recourse the Council has for bidders that withdraw. Following a lengthy discussion and following the advise from Township Attorney Corsini, Council agreed that it is not in the best interest of the Township to enforce a bid that the bidder has no intention of honoring. Furthermore, legal action has its limitations because a contract has not yet been signed. It was however noted that Township Engineer William Burr reached out to this bidder expressing strong concern regarding their withdrawal. Council agreed to approve the award of contract that has been presented to Top Line Construction Corporation.

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

| | |
|--------------------------------|-----|
| Councilman Kirsh | Aye |
| Councilman Kurdyla | Aye |
| Councilman Ring | Aye |
| Council Vice President Pedroso | Aye |
| Council President Norgalis | Aye |

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#20-07-20-195](#) is appended to the official minutes

Adjournment

On the motion of Councilman Ring and the subsequent anonymous voice call vote of the governing body, the meeting adjourned at approximately 9:40pm.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Howard Norgalis
Council President