

**MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
NOVEMBER 5, 2020 - VIRTUAL MEETING**

The Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, convened in a regular session on Thursday, November 5, 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 OCTOBER 30, 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
Council President Howard V. Norgalis

Also Present: Matthew C. Moench, Mayor
Michael Pappas, Township Administrator
Wells Winegar, Deputy Township Administrator
Christopher Corsini, Township Attorney
Linda J. Doyle, Township Clerk
Grace Njuguna, Deputy Township Clerk

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

Minutes

OCTOBER 19, 2020 - REGULAR SESSION, VIRTUAL ACCESS

On motion of Councilman Kurdyla, seconded by Councilman Kirsh, the October 19, 2020 regular session minutes were moved for approval and passed unanimously on a voice call vote.

Council Reports

Councilman Kirsh

- Participated in the Veteran's Day ceremony which was meaningful.
- Celebrated Halloween last week. It was great to have a sense of normalcy

as far as community outreach. Complimented the Recreation staff that put that together and coordinated Council participation.

- This past Tuesday was Election Day. Councilman Kirsh complimented the Clerk staff, Linda, Grace and Krista for ensuring everything ran smoothly. The use of drop-box outside the municipal building also ran smoothly. He also complimented the poll workers for their public service and for allowing us to have as close to a normal election operation as possible.

Councilman Kurdyla:

- Working with the Open Space Chairman, James Weideli to set a date for this committee to get together.
- Acknowledged an email from Councilman Pedroso regarding a residential property. He will be reaching out to the property owner to discuss that property with them.
- Acknowledged receipt of our SASSA contract.
- Hosted a meeting with the joint fire commissioners at which time Mayor Moench was invited to discuss a few matters related to the Fire services at Bridgewater Township.
- Was also involved with the taping of the Veteran's Day ceremony to be aired on November 11th.

Councilman Ring:

- Attended the Board meeting for the SRAS on 11/22/2020.
- Attended the taping of Veteran's Day ceremony.
- Participated in the Halloween festivities that took place last Friday at the Bridgewater Commons Mall. He congratulated everyone that was involved and thanked the mall for their participation in hosting that event. Councilman Ring thanked the Recreation staff for this event noting it provided a sense of normalcy for our kids.
- There was a meeting with the Police Department as well as Barnaba's Health regarding the Somerset Ambulance and Shared Services Agreement that Bridgewater has been a part of for a number of years. This was the first of several meetings to come.
- Had dialogue with several residents over the last couple of weeks regarding access to the Public Works facility for picking up leaf bags. The County has not opened their facilities to the public and being that the Public Works location is on shared services with the County, they have posted signs for no public access. For those residents attempting to go pick up leaf bags, they feel they cannot access the property due to the signs. The Office of Constituent Relations and Public Works have been working on this matter.
- Councilman Ring continues to receive emails from residents who are for and against the school opening during COVID. All such concerns have been

referred to the Superintendent of Schools.

- Thanked everyone who participated in the elections. He congratulated those that have won the elections and hopefully we will know the outcome of the other elections in coming days.
- Acknowledged the passing of Judy Hanlon who is a 30plus year's member of the Finderne Rescue Squad. She also volunteered within the Township for 30 plus years with the Bradley Gardens Rescue Squad. She is the mother of Robert Hanlon who works with the Clerical Staff in the police department.

Council Vice-President Pedroso:

- Thanked all that participated in running the elections.
- Like everyone else, he is watching closely the results of the presidential and governor's race.

Council President Norgalis:

- Since we will be discussing the Best Practices tonight, Council President Norgalis stated he would like to make the same plea that he has made for about a dozen years. We do not have an Employee Manual and he strongly believes that we, as a business, should have one so we set the correct expectations for our employees. He added if he is the only councilman who supports that notion, he will fold his tent on the issue.
- The issue of Ambulance coverage by Somerset Hospital under contract was brought to his attention last week by Tim Ring. Since he was a participant in the RWJ Somerset Hospital virtual Annual Meeting last night, he raised the issue in a sidebar before the main part of the meeting. He is aware that others are also pursuing this issue but it is of vital importance to the health and well-being of our residents. More to follow on that issue.
- Municipal Clerk Linda Doyle researched the issue of liquor licenses in Bridgewater and determined that under current state rules the township can auction off another license. This matter is on tonight's agenda and the process will move forward.
- Somerset County will host a virtual Roadway Safety Study on Thursday Nov. 12 at 7:00 p.m. One of the seven breakout groups to be formed will dwell on the Finderne Ave. / Main St. section of Bridgewater. The town will be represented at that meeting.
- Bridgewater Police Chief Payne will make a report to the Council in the very near future on the progress in the use of Police Body Cameras. As he

stated a few months ago, we have the camera but there were several software issues that were being resolved which delayed actual use.

Mayor's Reports

Mayor Matthew C. Moench

- Received word that we won the trial against Advance Realty. They disputed a condition of the prior Planning Board's approval which requires them to return to the Planning Board to seek final approval for the architectural elements of the grocery store and hotel. They decided to sue us instead so as not to return to the Planning Board. Judge Miller rejected their arguments and ruled they cannot succumb to those requirements, the ruling was with prejudice. Advance Realty has a legal right to appeal or may submit an application with the Planning Board. Administration will keep the Council advised moving forward.
- Had the opportunity to observe the vote preparation and vote counting process at the County which is a pretty impressive operation. The County asked us for assistance with the counting process and twelve employees have been assigned to the County to assist them in that capacity.
- Thanked Councilman Kurdyla for the invitation to speak to the joint board of fire commissioners. Administration will make every effort to have our Fire Official provide better communication with the commissioners and attend their meetings. There will also be better communication between the Township and the various Fire Chiefs and the Boards. Mayor Moench appreciated Councilman Kurdyla's efforts to assist in that regard.
- Mayor Moench thanked the Veteran's Advisory Council for taking a lead on the Veteran's Day ceremony and Scott Maroldo, Director of Office of Constituent Relations who did a lot of work on our end.
- The Halloween event was a great success. Mayor Moench thanked the Recreation department including Rachel Barrett and her staff who did a phenomenal job putting it together.
- On the issue regarding Recreational Marijuana, this question passed on the ballot. More information will follow as far as how this will affect our current Ordinance regarding prohibition of the sale of recreational marijuana in Bridgewater. We don't know how this will affect us and more information will be provided as it becomes available.
- Mayor Moench confirmed we will have an employee manual by this time next year, administration is currently working on it.

- Mayor Moench further confirmed we are applying for CARES Act funding as Bridgewater is eligible for \$545,000 and are hoping to get the full amount. This is funding that is available as a result of the COVID-19 pandemic.

Council President Norgalis thanked Mayor Moench on behalf of the Council and residents for his complete reports. Councilman Pedroso thanked Mayor Moench for attending Council meetings adding it has been refreshing to see him present and to provide detailed information/reports. Councilman Pedroso further congratulated Mayor Moench for the victory with Advance Realty.

Discussion

BEST PRACTICE INVENTORY

Michael Pappas, Township Administrator discussed the Best Practice Inventory noting it is an annual occurrence. The Department of Community Affairs issues this to each municipality on an annual basis as a way of tracking and highlighting the areas that DCA believes are important for municipalities. This goes to the eligibility that a municipality would have for funding from various agency sources.

Michael Pappas further stated he is happy to report that we exceeded the minimum score that would make us eligible. He also echoed Mayor Moench's comments that administration will move forward with putting together an employee handbook by this time next year now that human resources has an additional staff person.

Township Administrator Pappas explained that the Council does not have to act on the Best Practice Inventory. The requirement is that this is presented at a public meeting, placed on an agenda, presented to the Council and made available to the public.

Council President Norgalis suggested that the Council reach out directly to administration with any comments or suggestions they may have.

Jessica Falce and Richard Shimp were acknowledged for their work on this item.

Public Comment

On motion of Councilman Kirsh, 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 to provide public input via electronic transmission with all comments to be read into the record, unless there are unusual circumstances.

Wells Winegar, Deputy Township Administrator advised the public on the various

ways they can be heard as follows:

- ⇒ Link for Public Comment Submission:
<https://bridgewaterocr.typeform.com/to/wtbqHzqr>
- ⇒ Use raise hand feature to give audio comments
- ⇒ Use Q&A feature for written comments
- ⇒ Text 908-912-4247 for written comments

There was a four (4) minute recess to allow the public additional time to submit public comment via the various ways discussed above.

Following recess, on the call of the roll by Township Clerk Doyle, 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

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

John Arcoleo, 1110 Washington Valley Road.

Fourteen (14) employees of the township were laid off in June. Are any going to be rehired by December to preserve their benefit of given first consideration to be rehired?

Mayor Moench stated there are no plans to do so.

Charlotte Orbine, no address provided.

Hello, I was wondering what the Township does with the old police vehicles as I see on the agenda new ones are being bought?

Council President Norgalis advised that we recycle them to other departments or auction them off.

Andy Fresco, 239 Evergreen Drive.

Thank you, thank you Mayor, Councilman Pedroso and Norgalis for continuing to fight Advance in an effort to Preserve Bridgewater. Although it will take time for the residents to hear this good news I am sure I speak for everyone when I say thank you and encourage you to keep fighting overdevelopment.

The following resident spoke:

Jason Nguyen, 4 Slack Court stated he was present due to a class assignment. With the legalization of recreational marijuana in the election, does Bridgewater expect to have a dispensary here? We've seen other states like Massachusetts take two years from the time voters approved non-medical use of marijuana to the grand opening of the state's first legal dispensaries, is there an answer to how long it could possibly take in New Jersey or Bridgewater?

Mayor Moench explained we do not know the answer to this yet but we will have to look into it. It has been reported that it may take up to a year to implement this as the State works on some of these challenges.

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

**Public
Hearing &
Final Action
Ordinances**

AN ORDINANCE AMENDING CHAPTER 4 (ADMINISTRATIVE ORGANIZATIONS), ARTICLE XIV (DEPARTMENT OF POLICE), SECTION 4-84 (“CHIEF OF POLICE”) OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER SO AS TO CREATE THE OFFICE OF POLICE CHAPLAIN

Mayor Moench thanked Chief Payne for his leadership on this matter which is part of our community outreach efforts. They have had meetings and will continue to do so in the future as this is a good time for the public to build trust with the police department. Mayor Moench added these members are volunteers that provide ministry to the police and the public to some degree.

It was confirmed there was no public comment provided during the public comment section of this meeting.

On motion of Councilman Kirsh, seconded by Councilman Kurdyla, the foregoing Ordinance 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

ORDINANCE #20-22 WAS ADOPTED.

A copy of resolution [#20-11-05-267](#) 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: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

It was confirmed there was no public comment provided during the public comment section of this meeting.

On motion of Councilman Kirsh, seconded by Councilman Kurdyla, the foregoing Ordinance 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

ORDINANCE #20-21 WAS ADOPTED.

A copy of resolution [#20-11-05-268](#) is appended to the official minutes

Resolutions

LOCAL GOVERNMENT EMERGENCY FUND (CRF) GRANT

Michael Pappas, Township Administrator thanked the efforts of the staff that assisted in getting this grant together including Rosalie Fricano, Paymaster, Chief Paul Payne and his staff, Jamie Edwards, OEM coordinator, Wells Winegar, Deputy Township Administrator, Christine Madrid, Director of Human Services, Thomas Genova, Director of Municipal Services and Richard Shimp, Public Works superintendent.

Councilman Kirsh stated he appreciates the higher authority government that have allowed us to benefit from this. While he expressed disappointed as this would have been an important part of the budget, he noted that these monies will help us prioritize some of our spending that was not originally possible.

It was explained that there was a separate CARES act that we did not qualify for due to the size of our township but we appreciate that assistance is finally here.

It was confirmed that monies could be received before the end of 2020.

On motion of Councilman Pedroso, 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 [#20-11-05-269](#) is appended to the official minutes

EXTENDING BRIDGEWATER TOWNSHIP'S LOCAL ENFORCEMENT GUIDELINES FOR EXECUTIVE ORDER 150 (MURPHY) AND SR-2020-10 (NJ ABC, AS AMENDED BY SR-2020-21) CONCERNING OUTDOOR DINING, OUTDOOR RETAIL SALES, AND SPECIAL COVID-19 EXPANSION PERMIT LIQUOR LICENSES

Michael Pappas, Township Administrator explained that a few months ago, this resolution was approved to allow for outdoor dining and outdoor retail sales. This resolution extends that provision as the original resolution expires on November 31, 2020. To be safe, Township Attorney Corsini stated this resolution should be added to the Reorganization meeting for further extension.

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 [#20-11-05-270](#) is appended to the official minutes

AMENDING RESOLUTION NO. 20-05-07-128 OF THE BRIDGEWATER TOWNSHIP COUNCIL AWARDING A CONTRACT TO COMMUNITY GRANTS, PLANNING & HOUSING, LLC OF 1249 SOUTH RIVER ROAD, SUITE 301 CRANBURY, NJ APPOINTING SAID ENTITY AS THE TOWNSHIP'S ADMINISTRATIVE AGENT FOR AFFORDABLE HOUSING IN AN AMOUNT NOT TO EXCEED \$105,980.00 TO SET A SPECIFIC EFFECTIVE DATES FOR THE CONTRACT

It was confirmed this is not a new contract but rather to set an effective date for a contract that is already in place.

On motion of Councilman Ring, 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 [#20-11-05-271](#) is appended to the official minutes

AWARD TO BEYER FORD, 31 WILLIAMS PARKWAY, EAST HANOVER, NJ TO PURCHASE, EIGHT 2020 POLICE SUV INTERCEPTOR BLACK AND WHITE \$35,753.75 EACH TOTAL AMOUNT OF \$286,030.00 TO BE FUNDED THRU THE SOMERSET COUNTY IMPROVEMENT AUTHORITY SOMERSET MUNICIPAL BANC PROGRAM

Michael Pappas, Township Administrator stated the replacement of cars is a periodic thing we do so that the police department is fully equipped to carry out their responsibilities. The prices are through a state contract and funding mechanism is through the County improvement authority.

On motion of Councilman Ring, 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 [#20-11-05-272](#) is appended to the official minutes

AUTHORIZING EXECUTION OF A SITE ACCESS AGREEMENT BETWEEN THE TOWNSHIP OF BRIDGEWATER AND ETHICON, INC. (PO BOX 51, ROUTE 22 WEST, SOMERVILLE, NJ 08876-0151) FOR THE INSTALLATION OF MONITORING WELLS ON BLOCK 411, LOT 39.08 (SOMERSET CORPORATE BOULEVARD) AND BLOCK 411.01, LOT 41 (GARRETSON ROAD)

Michael Pappas, Township Administrator explained that NJDEP has required Ethicon to install monitoring wells and this resolution gives Ethicon the access they need in order to comply with that requirement.

On motion of Councilman Kirsh, seconded by Councilman Norgalis, 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 [#20-11-05-273](#) is appended to the official minutes

AUTHORIZING EXECUTION OF A SITE ACCESS AGREEMENT BETWEEN THE TOWNSHIP OF BRIDGEWATER AND WYETH HOLDINGS, LLC (20 POLHEMUS LANE, BRIDGEWATER, NJ 08807) TO PERMIT A TEMPORARY AIR QUALITY MONITORING STATION WITHIN THE MUNICIPAL RIGHT-OF-WAY OF NEWBERRY STREET

Council President Norgalis explained this is another activity required in order to clean up the area behind the ballpark. Township Administrator Pappas stated he will request a copy of the report and will share same with the Council.

On motion of Councilman Kurdyla, seconded by Councilman Pedroso, 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 [#20-11-05-274](#) is appended to the official minutes

AUTHORIZING EXECUTION OF A DEVELOPERS AGREEMENT BETWEEN THE TOWNSHIP OF BRIDGEWATER AND NEW JERSEY AMERICAN WATER COMPANY, INC. 120 RAIDER BOULEVARD, HILLSBOROUGH, NJ 08844 REGARDING PLANNING BOARD APPROVALS FOR A 360 +/- SQUARE FOOT RECHLORAMINATION SYSTEM ON LOT 107, BLOCK 601, LOCATED ON ROUTE 202/206 JUST NORTH OF THE NORTHERLY END OF SKY HILL ROAD

Council President Norgalis explained rechloramination is a process of using chlorine and a little bit of ammonia and is very effective as a disinfectant. The purpose of this Agreement is to address the obligations of the Developer for the Project as NJ American water recently received approval from the Planning

Board to construct a 360 +/- square foot rechloramination system on the premises

On motion of Councilman Ring, 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 [#20-11-05-275](#) is appended to the official minutes

AUTHORIZING THE SALE OF A PLENARY RETAIL DISTRIBUTION LICENSE

Michael Pappas, Township Administrator explained the Township Clerk Doyle periodically reminded him that the Township can auction off a distribution license. He commended her for the work she put into this including reaching out to other clerks for guidance.

Council President Norgalis stated that the Council is moving to authorize the sale of the license. There is a separate bidding process that we must adhere to. The minimum bid is \$500,000.

On the 22nd day of December, 2020 at 10:00 a.m., the Qualified Purchasing Agent shall publicly announce those prospective bidders who have pre-qualified for bidding in compliance with the Alcoholic Beverage Control Act.

The Qualified Purchasing Agent shall open the bids of the pre-qualified bidders at on December 29, 2020 at 10:00 a.m.

The Township Council shall award the winner at a public special meeting on December 29, 2020 at 5:00 p.m.

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 [#20-11-05-276](#) is appended to the official minutes

Council President Norgalis stated the Governing body shall hold a special meeting on November 12, 2020 at 5:00 p.m. to award the contract for the Redwood Inn demolition project.

Adjournment

Councilman Kurdyla made motion to adjourn the meeting at approximately 9:00pm.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Howard Norgalis
Council President