

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
MARCH 18, 2021 VIRTUAL MEETING

The Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, convened in a regular session on Thursday, March 18, 2021 at 7:30 p.m. via electronic communication

Council President Pedroso 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 5, 2021, WITH A SUBSEQUENT MEETING NOTICED ON MARCH 15, 2021, 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 Howard V. Norgalis
Councilman Timothy Ring
Council President Filipe Pedroso

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

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

Minutes

MARCH 1, 2021 REGULAR SESSION, VIRTUAL ACCESS

On motion of Councilman Norgalis, seconded Councilman Ring, the above referenced minutes were moved for approval and carried unanimously on a voice call vote.

Council Reports

Councilman Norgalis:

- Attended along with Councilman Kirsh the Somerset County Governing Official monthly virtual meeting. The principal speaker was Sherriff Russo and the newest member of the County K9 community. There was a

training display and background on both the K9 program and dog training by the dog's handler

- Daylight savings time is here and along with it clocks were reset in every home. Residents are reminded that this should also be the time to replace batteries in smoke detectors and carbon monoxide detectors if they have replaceable batteries. There are 10 year battery detectors in which the batteries are not replaceable so at the end of the 10 years the detector must be replaced. No matter what type of detector you have you should periodically test it in conformance with the manufactures instructions.
- One significant warning. Detectors with weak batteries or at the end of their service life will chirp or alarm for a period of time to indicate potential failure in some cases up to a week. So if you are away from home for an extended period of time your detector may have failed or expired while you were away. When you get home check to make sure your life savings device is still healthy. Councilman Norgalis added anyone with questions can contact me through the Township Clerk's office and he will be happy to walk them through this important issue.

Councilman Ring:

- Attended a virtual meeting presentation by the New Jersey League of municipalities concerning legalization of marijuana.

Councilman Kirsh:

- Thanked Councilman Norgalis for his informative thoughts with regard to keeping up with smoke and carbon monoxide detectors to ensure they are healthy and able to protect us in the event of an emergency.
- Also attended the Somerset County Governing Official meeting. They made a very impressive presentation with regard to K9 capabilities. These dogs are exceptionally well trained and provide a greatly valued service and vital function within our community.
- The Board of Education school budget was approved at its first reading with \$174.4M, a levy of \$54.9M representing 1.78% increase to the levy. A final hearing and adoption is scheduled for April 27, 2021
- On Saturday afternoon, a community rally was held right on the municipal court yard by a group and individuals concerned about returning our students to school five (5) days a week.

Council President Pedroso

- The wireless cell communications Ordinance that was tabled is still making progress and will hopefully be finished and soon for presentation to the Council.
- Attended the Somerset County Regional Center Partnership meeting this week.

Mayor's Reports

Mayor Matthew C. Moench

- Also attended the rally that was held in our courtyard with regard to reopening our schools. Mayor Moench stated he was impressed with the speakers, students and parents and the passion they have on this issue adding he shares the same concerns and hoped we can move quickly into reopening the schools.
- Mayor Moench discussed his thoughts on moving the school board elections back to April. He offered we will be well served to have a conversation about whether it is in our best interest to move these elections back to April starting next year.
- Mayor Moench stated administration was able to work out an arrangement with Atlantic Health who has agreed to partner with us to try and provide vaccines for our teachers.

Proclamation

WOMEN'S HISTORY MONTH

Mayor Matthew C. Moench read the following proclamation:

WHEREAS, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

WHEREAS, American women have played and continue to play critical economic, cultural, and social roles in every sphere of the life of our Nation by constituting a significant portion of the labor force working inside and outside of the home; and

WHEREAS, American women have played a unique role throughout the history of our Nation by providing the majority of the volunteer labor force; and

WHEREAS, American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation; and

WHEREAS, American women of every race, class, and ethnic background served as early, leaders in the forefront of every major progressive social change movement; and

WHEREAS, Bridgewater Township has a rich history and present of raising strong and impactful women who have helped to shape, not only the Bridgewater community, but, have had positive changes all over the world; and

WHEREAS, Countless women activists, authors, athletes, entrepreneurs and more have, or currently do, call Bridgewater home; and

WHEREAS, Bridgewater Township constantly sees individual or groups of women making meaningful contributions to the community everyday which is creating the history and role models of tomorrow;

NOW, THEREFORE, I do hereby proclaim March as Women's History Month and honor the women of this community and beyond for their vast and meaningful contributions to our lives.

**Public
Comment**

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

Councilman Pedroso advised the public that they can comment on the Ordinances or resolutions. It was noted that there are many comments that were already received and will be read into the record. Any resident with additional comments was advised they can send in their comments via the methods displayed on the screen as follows:

- ⇒ Link for Public Comment Submission:
<https://bridgewaterocr.typeform.com/to/XG6BK5fg>
- ⇒ Use raise hand feature to give audio comments
- ⇒ Use Q&A feature for written comments
- ⇒ Text 908-912-4247 for written comments

Wells Winegar, Deputy Township Administrator read the following public comments which are recorded verbatim:

Jaime Castro, 216 W. End Avenue

I would like to bring forward the topic of full day kindergarten. I realize that this is not the most ideal time to discuss this matter considering what is going on with the schools, but I want to make sure this topic is back on everyone's radar. It is absolutely ridiculous that we are in the year 2021 and Bridgewater STILL

does not offer a full day kindergarten option. We are not in the 80's anymore, we have families with 2 working parents and we NEED to provide a full day option for those families. If this is not the correct meeting to bring this topic up please do let me know.

Council President Pedroso stated that while this is an important matter, Council has no authority over the school schedule. Ms. Castro was advised to reach out to the Board of Education.

Paula Berge, 9 Gateshead Drive

What is the basis of our township officials determining that the licensing of cannabis establishments would be detrimental to us? As far as I know, these establishments operate like any other. There is really nothing out of the ordinary. What I am more interested in, particularly after the terrible impact that COVID restrictions have had on revenue to the town, is what a dispensary would generate in terms of income. Why should we let other towns benefit and enjoy that revenue, and not Bridgewater?

Dean Sherwood, 530 Mine Road

NO to sales or contributing to anything for marijuana.

Bao Nguyen, 14 Flanders Way

Placing bans on marijuana is a reaction in my opinion. I don't like the smell of smoke but I understand that we must live together. Like the cigarette smoke guidelines, I think that areas designated for smoking and/or sales would be more of an effective compromise. All this ban is, in my opinion, is a continuation of the legal ban which clearly has failed and could lead to unintended detrimental consequences. There is clear evidence of this. I strongly urge you to consider an alternative solution. This is a cultural thing more so than stoners wanting to get high or whatever biases are driving these Ordinance suggestions.

Ruth Mengak, 810 Park Ave

Please approve the cannabis Ordinances

Pat Winkler, 1042 Buxton Road

I thank the Mayor and Council for introducing these proposed Ordinances and awareness programs regarding marijuana and fully support their efforts to minimize, as much as possible, the adverse effects of this new law. And as the mother of three, grandmother of seven and retired pediatric nurse, I oppose not notifying parents of underage children when their children have encounters with the police. Thank you.

Priti Winternute, 80 Whitehead Road

As a resident of Bridgewater and a mother, I strongly oppose opening of cannibal dispensaries in our beloved town. I humbly request that our Council vote against Marijuana sales through dispensaries in Bridgewater. Among few reasons, I am most concerned about widespread odor in air which is typical to cannibal dispensaries, as I have experienced it in other towns that have dispensaries selling such substances. Also, such stations may negatively impact property value of residential homes in surrounding areas, ultimately affecting the town. Thank you for the opportunity to voice our concerns.

Betty Chan, 41 Shields Lane

I really appreciate the effort to keep Bridgewater safe for the kids and adults by banning on the use of Marijuana in public places within the township. Thank you.

Peter Aa, 284 English Court

The sale of Marijuana should not be prohibited just as the sale of alcohol is not prohibited . The additional tax revenue would benefit the township.

Fae Cushing, 3312 French Drive

Second-hand smoke is a recognized problem that non-smokers already have to deal with. Marijuana smoke will add not only to this issue, but introduces another facet because the smoke can cause a contact high. Our children and adults who we want to protect from carcinogens and psychoactive effects need to be seriously considered before voting.

Thomas and Ivarlee Mulligan, 595 Sudbury Lane

Regarding Item 11 Introduction of Ordinance, Items a, b, c, and d banning the sale of recreational marijuana and restricting the use of marijuana in the Township, we wholeheartedly endorse passage of all four Ordinances. We are pleased that Mayor Moench and the Township Council are placing the welfare and safety of our citizens, and particularly the children of Bridgewater, first

Laura Norland, 500 Steele Gap Road

I am against the use of recreational marijuana. I don't believe it will be of benefit for the public. I was shocked that Governor Murphy used such poor judgment in legalizing it. Thank you Bridgewater for standing firm against its use in public locations.

Donald Elias, 766 Newmans Lane

I believe that the resolutions banning cannabis and/or marijuana businesses or establishments in Bridgewater is overreach as the citizens expressed their support by a 2 to 1 margin on the ballot issue. This approach by the Council

interferes with free business activities and the loss of tax revenues with no real benefit to the Township. In every state that has legalized marijuana, the businesses that operate have not caused problems. Even on State street near the capitol, a marijuana sales business has operated with no significant problems. Our government should stop trying to continue the delays evidenced by the past governor's implementation of medical marijuana program, this continues at the state level and should not be the same in Bridgewater Township. Thank you for your consideration.

Daniel Zelinski, 715 Chimney Rock Road

I understand Ordinances prohibiting public consumption must be passed to prohibit this behavior. I also understand the reasoning behind prohibiting retail dispensary sales in Bridgewater. This also means Bridgewater residents would not benefit from the tax income from retail sales. But why would you prohibit cultivation and processing, which would not be in public view and would bring in tax revenue? That position only hurts Bridgewater taxpayers and property owners who have vacant facilities that could suit cultivation and processing.

Edward Hollowell, 273 Park Avenue

I encourage you to reconsider banning marijuana businesses from operating in our township. It is a meaningless gesture that offers no benefits, but only hurts Bridgewater. Banning the sale of marijuana in our town does not prevent our residents from buying it elsewhere, having it delivered or using the substance. Your Ordinance does not keep it out of the hands of our children or address the parts of the state law that you have issues with. The only impact this Ordinance will have is to prevent Bridgewater in benefitting from the additional tax revenue. Your short-sightedness is further evident in your comments to the press about restarting the D.A.R.E. program. Study after study has shown that this program not only didn't work, but was counterproductive, leading to higher drug use among high school students who went through the program. I ask that you listen to the people, respect the outcome of the vote, respect our freedom and do what's best for Bridgewater by voting "no."

Jacquie Zeiman, 45 Hillcrest Road

Although the state of NJ voted to legalize the possession and sale of marijuana, this should not be taken as a wholehearted stamp of approval by our town to open dispensaries or allow public usage. Many people are comparing the legalization of marijuana to alcohol. It is not the same in several ways. We don't allow alcohol to be consumed openly in public spaces. In regard to the sale of alcohol, the alcoholic beverage industry is heavily regulated by the Alcohol Beverage Commission (ABC) in the state of NJ. Retailers and restaurants pay hundreds of thousands and sometimes millions of dollars just to purchase a license to sell the product and are subject to huge fines or loss of their licenses

for not adhering to the rules (age, consumption, etc). The cannabis industry is an emerging one reminiscent of the Wild West with few rules and little oversight. Please DO NOT allow dispensaries in Bridgewater! I would rather you increase our property taxes if we need additional revenue. In regard to allowing public usage of marijuana, I believe that it is an infringement of my rights as a non-smoker. We have banned or limited the public smoking of cigarettes because of the negative health effects of secondhand smoke and we should do the same for pot. Another difference between pot and alcohol is that when alcohol is consumed, other people aren't subjected to an offensive odor that travels for yards and lingers for hours. A few months ago I was at the Prince Rogers baseball fields watching my son's team practice on the big field. There were three cars with teens parked in a grassy area just behind the bleachers and smoke was billowing out of the windows. After the teens noticed me watching them, they drove off. I left to run a few errands, and when I returned over an hour later, the smell of smoke was still strong all around the bleachers and practice area. As the 12 and 13 year old kids walked off the field, many questioned what the offensive odor was and why some of the adults were laughing and joking about it. Of course this created some interesting conversations on the car rides home. My older child is a young adult who graduated from our high school a few years ago. I saw several of her peers start using pot frequently. Many of them lost their motivation to succeed in school, saw their grades drop, got kicked off sports teams, and even lost their college scholarships. By allowing public use, you are basically giving a thumbs up to kids that it is an appropriate substance. I'm not against any grown adult using pot in the privacy of his own home, but I am strongly opposed to being subjected to someone else's use publicly.

The following residents spoke into the record:

Jessica Wolf, 1 Tiffany Place

She spoke in opposition of the proposed Ordinances banning use and sale of recreational marijuana noting she does not believe the town has provided sufficient evidence to support the ban being it has already been approved at State level. She also offered the town Council and Police Department have not shown much interest against the consumption of alcohol by adults in school property which has occurred at every BRHS football game she has attended and therefore questioned the reasoning behind their stand on marijuana. She opined the Mayor and Council has no interest in protecting our residents but only care about impressing them.

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

**Public
Hearing &
Final Action
Ordinances**

NONE

**Introduction
of
Ordinances**

Council President Pedroso read the following Ordinances by title then allowed for comment by Mayor and Council

AN ORDINANCE REPEALING AND REPLACING CHAPTER 53 (RECREATIONAL MARIJUANA) OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER TO COMPLY WITH STATE LAW AND PROHIBIT THE OPERATION OF ANY CLASS OF CANNABIS BUSINESS WITHIN THE TOWNSHIP'S GEOGRAPHICAL BOUNDARIES

AN ORDINANCE AMENDING SECTION 126-324 (GENERAL USE RESTRICTIONS) SO AS TO SPECIFICALLY PROHIBIT THE OPERATION OF ANY CLASS OF MARIJUANA ESTABLISHMENT IN ALL ZONES

AN ORDINANCE CREATING A NEW CHAPTER 54 ENTITLED "CANNABIS, LIMITATIONS" TO PROHIBIT SMOKING, VAPING, AEROSOLIZING, OR OTHERWISE CONSUMING CANNABIS OR CANNABIS ITEMS ON PUBLIC PROPERTY

AN ORDINANCE AMENDING CHAPTER 75 (TOBACCO-FREE EVENTS) OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER BY ADDING RECREATIONAL CANNABIS USE TO THE PROHIBITED CONDUCT CONTEMPLATED IN THE CHAPTER

Mayor Moench stated the above series of Ordinances are intended to regulate the use of recreational marijuana as permitted by the State enabling legislation. Two years ago, our Council introduced and passed an Ordinance preemptively banning the sale of recreational marijuana in Bridgewater. At the time, this issue was still pending and the thought process was that we would pass said Ordinance as a way to allow us to have certain protections in place.

The legislature was unable to pass legislation and instead turned to allowing this to be voted on directly by the citizens of New Jersey as a constitutional amendment. That amendment was broad and essentially allowed for recreational marijuana but did not set the framework on how to actually enable it.

The State has now moved forward with enacting legislation to allow legalizing recreational marijuana. That legislation allows not only for use but also for the sale and distribution of marijuana. It also reduces the penalties for underage

drinking to match reduced penalties for underage use of marijuana and for adult distributors of marijuana to underage children.

The State further allows municipalities to prohibit the sale of recreational marijuana, a thought that is also promoted by the league of municipalities. Under this law, we have 6-months to enact Ordinances that ban recreational marijuana. If no action is taken, municipalities are prohibited from enacting such Ordinances for five (5) years. This means that we can enact the Ordinances now and if at some future time feel it best to relax or amend these Ordinances, we can do so but not the reverse. The cannabis regulations will not be put out until after the time we decide whether or not we want to allow for recreational marijuana.

Mayor Moench explained that the first two (2) Ordinances repeal the Ordinances we originally passed because they are now void and replaces them with the current one which bans certain classes of recreational marijuana as specifically allowed by the State. It does not prohibit anyone from possessing or using marijuana at a personal capacity.

The last two (2) Ordinances are specifically allowed by State legislation and in essence limit the use of marijuana to private property.

Mayor Moench offered these Ordinances are is our attempt to ensure we are balancing the needs residents in favor of recreational marijuana and protect the rights of those who don't want the negative effects that come with use of recreational marijuana.

Mayor Moench further explained some of the resident comments have to do with tax revenue but our position is that the impact of allowing recreational marijuana far exceeds the potential benefit from tax revenue and we should not sell our quality of life for tax revenue. If we are wrong, we can always go back and allow it but if there are negative effects, this is our way to protect ourselves.

Councilman Norgalis stated it is important to understand these Ordinances do not in any way inhibit the use of medical marijuana.

Councilman Ring stated he attended a New Jersey League of Municipalities meeting which discussed many issues related to the legalization of marijuana. We have until August 21, 2021 to make a decision on whether to allow or ban the use of recreational marijuana within the township. The cannabis regulatory commission who will determine the operating rules has until August 22, 2021 to put forth their recommended policies forward. If we choose not to take action

and ban this and we don't like the rules brought forth by the cannabis regulatory commission, it will be too late and we will be stuck with their regulations for 5-years. In that five (5) years, if a facility opens, we will be unable to close that facility as they will be grandfathered in. If we move forward with these Ordinances and ban the use of recreational marijuana in Bridgewater, we can, on August 23rd when the rules come out and are comfortable with same, we can reverse our Ordinances. Councilman Ring further explained there is a 2% tax-cap. Councilman Ring expressed he was appreciative of the residents who made comments regarding this matter.

Councilman Kirsh complimented the residents for making their voices heard noting Council enjoys and welcomes the dialogue with residents on this and any other issues of mutual concern.

Councilman Kirsh stated recreational marijuana is now legal within New Jersey subject to a series of pending regulations. Bridgewater's Mayor and Council have a responsibility to determine how our community is planned and what it looks like. The impact of recreational marijuana dispensaries are simply unknown. The approach advocated in the first two (2) Ordinances is the wisest approach. The last two (2) Ordinances will protect out quality of life by restricting public use of recreational marijuana. These proposals have no impact on adults twenty one (21) and over to legally use recreational marijuana in the privacy of their homes. Councilman Kirsh stated he will be supporting all four (4) Ordinances.

Councilman Norgalis stated he supports all four (4) Ordinances adding it is truly a quality of life issue and has to do with the greater good.

Council President Pedroso stated he shared in the Mayor's ideology about quality of life which should not be for sale. While he doesn't pass judgment on adults who wish to use or not to use marijuana, the sale of recreational marijuana impacts our quality of life. President Pedroso added many people come to Bridgewater Township to raise their families and we want to provide an environment that is conducive to that. He offered that these Ordinances help keep Bridgewater great.

AN ORDINANCE REPEALING AND REPLACING CHAPTER 53 (RECREATIONAL MARIJUANA) OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER TO COMPLY WITH STATE LAW AND PROHIBIT THE OPERATION OF ANY CLASS OF CANNABIS BUSINESS WITHIN THE TOWNSHIP'S GEOGRAPHICAL BOUNDARIES

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

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

THE ORDINANCE WAS INTRODUCED.

A copy of resolution [#21-03-18-078](#) is appended to the official minutes

Grace Njuguna, Deputy 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 April, 2021 at 7:30 p.m. prevailing time on said day as the time and the Bridgewater Township Municipal Court Chambers at 100 Commons Way or in compliance with Executive Order via virtual access which a subsequent link will be made available via the agenda and website 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 AMENDING SECTION 126-324 (GENERAL USE RESTRICTIONS) SO AS TO SPECIFICALLY PROHIBIT THE OPERATION OF ANY CLASS OF MARIJUANA ESTABLISHMENT IN ALL ZONES

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

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

THE ORDINANCE WAS INTRODUCED.

A copy of resolution [#21-03-18-079](#) is appended to the official minutes

Grace Njuguna, Deputy 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 April, 2021 at 7:30 p.m. prevailing time on said day as the time and the Bridgewater Township

Municipal Court Chambers at 100 Commons Way or in compliance with Executive Order via virtual access which a subsequent link will be made available via the agenda and website 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.

FURTHER RESOLVED, that the Township Clerk shall forward this Ordinance to the Bridgewater Township Planning Board for their meeting to be held March 23, 2021 to review and prepare a recommendation.

AN ORDINANCE CREATING A NEW CHAPTER 54 ENTITLED "CANNABIS, LIMITATIONS" TO PROHIBIT SMOKING, VAPING, AEROSOLIZING, OR OTHERWISE CONSUMING CANNABIS OR CANNABIS ITEMS ON PUBLIC PROPERTY

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

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

[THE ORDINANCE WAS INTRODUCED.](#)

A copy of resolution [#21-03-18-080](#) is appended to the official minutes

Grace Njuguna, Deputy 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 April, 2021 at 7:30 p.m. prevailing time on said day as the time and the Bridgewater Township Municipal Court Chambers at 100 Commons Way or in compliance with Executive Order via virtual access which a subsequent link will be made available via the agenda and website 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 AMENDING CHAPTER 75 (TOBACCO-FREE EVENTS) OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER BY ADDING RECREATIONAL CANNABIS USE TO THE PROHIBITED CONDUCT CONTEMPLATED IN THE CHAPTER

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

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

[THE ORDINANCE WAS INTRODUCED.](#)

A copy of resolution [#21-03-18-081](#) is appended to the official minutes

Grace Njuguna, Deputy 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 April, 2021 at 7:30 p.m. prevailing time on said day as the time and the Bridgewater Township Municipal Court Chambers at 100 Commons Way or in compliance with Executive Order via virtual access which a subsequent link will be made available via the agenda and website 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 AN INCREASE THE CONTRACT FOR ROAD SALT INVOICES FOR THE 2019-2020 WINTER SEASON TO THE SOMERSET COUNTY ROAD & BRIDGE DIVISION FROM \$75,000.00 TO NOT TO EXCEED \$145,000.00 FUNDED THROUGH THE SNOW TRUST

Township Administrator Pappas explained the severe winter storm required us to have more salt.

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

| | |
|---------------------|--------|
| Councilman Kirsh | Aye |
| Councilman Kurdyla | Absent |
| Councilman Norgalis | Aye |

| | |
|---------------------------|-----|
| Councilman Ring | Aye |
| Council President Pedroso | Aye |

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#21-03-18-082](#) is appended to the official minutes

AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR HEALTH SERVICES PURSUANT TO N.J.S.A. 26:3A2-1 ET SEQ AND COMMISSION MEMBERSHIP PURSUANT TO N.J.S.A. 26:3-84 WITH THE MIDDLE BROOK REGIONAL HEALTH COMMISSION IN AN AMOUNT NOT TO EXCEED \$109,000.00 ANNUALLY FOR A TERM COMMENCING ON JANUARY 1, 2020 AND TERMINATING ON DECEMBER 31, 2022

Township Administrator Pappas explained this ensures that the township complies with the State requirements to provide health services for Bridgewater.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#21-03-18-083](#) is appended to the official minutes

NOTIFICATION OF APPLICATIONS FOR THE 2021 SOMERSET COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT BY THE FOLLOWING NONPROFITS WITH INTENDED PROJECTS WITHIN BRIDGEWATER TOWNSHIP: COURT APPOINTED SPECIAL ADVOCATES (CASA) OF SOMERSET, HUNTERDON, AND WARREN COUNTIES, THE SHIMON AND SARA BIRNBAUM JEWISH COMMUNITY CENTER, AND VISIONS AND PATHWAYS

Township Administrator Pappas explained this is required by the County to allow these non-profit organizations to make applications in order to seek funding.

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

| | |
|---------------------|--------|
| Councilman Kirsh | Aye |
| Councilman Kurdyla | Absent |
| Councilman Norgalis | Aye |
| Councilman Ring | Aye |

Council President Pedroso Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#21-03-18-084](#) 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) AND 2020 N.J. S.N. 3320 CONCERNING OUTDOOR DINING, OUTDOOR RETAIL SALES, AND SPECIAL COVID-19 EXPANSION PERMIT LIQUOR LICENSES UNTIL NOVEMBER 30, 2022 OR THE DATE ON WHICH INDOOR DINING RESUMES WITHOUT CAPACITY LIMITATIONS

Township Administrator Pappas stated Council has consistently supported this type of resolution which effectuates the governor's order and supports local businesses as they run their business.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#21-03-18-085](#) is appended to the official minutes

AUTHORIZING THE EMPLOYMENT OF VAN NOTE-HARVEY ASSOCIATES, INC. AS SPECIAL ENGINEERING CONSULTANT TO ASSIST IN THE ADDITIONAL REVIEW OF SEWER FLOWS AND COST ALLOCATIONS RELATED TO THE MIDDLEBROOK TRUNK AND THE EXISTING COST SHARING AGREEMENT BETWEEN THE TOWNSHIP OF BRIDGEWATER AND WARREN TOWNSHIP IN AN AMOUNT NOT TO EXCEED \$25,000 TO BE FUNDED THROUGH THE SEWER UTILITY FUND

Township Administrator Pappas explained the Council in previous occasion approved the resolution to engage this firm to review the data for Warren Township usage of the sewer trunk line. Bridgewater Township needs to do further analysis to renegotiate a contract that we have with Warrant township for the usage of our sewer trunk line and pump station. This firm has done a great job and this will be the last time we will need their engagement.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#21-03-18-086](#) is appended to the official minutes

AUTHORIZING FINAL PAYMENT IN THE AMOUNT OF \$75,637.00, TO IBN CONSTRUCTION CORPORATION, (49 HERMON STREET, NEWARK, NJ 07105) AND ACCEPTANCE OF THE PROJECT, FOR THE DEMOLITION OF STRUCTURES AT CAMP CROMWELL PROJECT, FUNDED THROUGH THE OPEN SPACE FUND

Township Administrator Pappas stated there is no increase and this resolution will allow us to finalize this project. It was noted that Thomas Genova, Director of Municipal Services was instrumental in renegotiating this contract.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#21-03-18-087](#) is appended to the official minutes

AUTHORIZING FINAL PAYMENT IN THE AMOUNT OF \$165,333.00, TO FRANK GALBRAITH & SON EXCAVATION AND DEMOLITION, LLC, (831 RARITAN ROAD, SCOTCH PLAINS, NJ 07076) AND ACCEPTANCE OF THE PROJECT, FOR THE REDWOOD INN DEMOLITION PROJECT, FUNDED FROM THE GENERAL CAPITAL MISCELLANEOUS BOND ORDINANCE #20-20

Township Administrator Pappas stated this closes the project within the approved budget.

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

| | |
|---------------------|--------|
| Councilman Kirsh | Aye |
| Councilman Kurdyla | Absent |
| Councilman Norgalis | Aye |
| Councilman Ring | Aye |

Council President Pedroso Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#21-03-18-088](#) is appended to the official minutes

AUTHORIZING CHANGE ORDER NO.1/FINAL CHANGE ORDER DECREASING THE CONTRACT PRICE FROM \$199,810.06 TO \$184,529.73 A DECREASE OF 7.65% OR \$15,280.33, AUTHORIZING ACCEPTANCE OF THE PROJECT, RELEASE OF THE PERFORMANCE BOND, ACCEPTANCE OF THE MAINTENANCE BOND, AND FINAL PAYMENT TO TOP LINE CONSTRUCTION CORP. (22 FIFTH STREET, SOMERVILLE, NJ 08876) FOR THE DELAWARE DRIVE IMPROVEMENT PROJECT (ENTIRE LENGTH), FUNDED THROUGH THE 2017 CAPITAL FUND

Township Administrator Pappas stated this finalizes the Delaware project which is under budget.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#21-03-18-089](#) is appended to the official minutes

AUTHORIZING CHANGE OF SCOPE #2 TO THE PROFESSIONAL SERVICES CONTRACT INCREASING THE CONTRACT PRICE BY THE SUM OF \$3,700.00 FOR ADDITIONAL DESIGN DRAWINGS FOR THE CHIMNEY ROCK PARK PARKING LOT IMPROVEMENT PROJECT TO THE REYNOLDS GROUP, INC., (575 ROUTE 28, SUITE 110, RARITAN, NJ 08869) FROM THE CONTRACT PRICE OF \$31,500.00 TO \$35,200.00 FUNDED THROUGH THE 2018 PARK IMPROVEMENTS FUND

Township Administrator Pappas explained this resolution will allow for the close out of this project and the change in scope is as a result of some additional landscaping changes made in order to respond to neighbors' concerns.

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

| | |
|---------------------|--------|
| Councilman Kirsh | Aye |
| Councilman Kurdyla | Absent |
| Councilman Norgalis | Aye |

Councilman Ring Aye
Council President Pedroso Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#21-03-18-090](#) is appended to the official minutes

AUTHORIZING CHANGE OF SCOPE TO THE PROFESSIONAL SERVICES CONTRACT INCREASING THE CONTRACT PRICE BY THE SUM OF \$16,919.50 FOR ADDITIONAL PROFESSIONAL ENGINEERING SURVEYING AND CONSTRUCTION INSPECTION SERVICES FOR THE STEELE GAP ROAD IMPROVEMENT PROJECT WHICH INCLUDES TWIN OAKS ROAD WITH MASER CONSULTING FROM THE CONTRACT PRICE OF \$46,300.00 TO \$63,219.50 FUNDED THROUGH THE 2019 CAPITAL BOND

Township Administrator Pappas explained this project dates back several years adding when it was undertaken, certain field conditions required additional work including drainage, inspections, and negotiations with the contractor. While the work had been authorized by a previous administration official and completed, it was discovered a few months ago that Maser Consulting had not been paid. This resolution will ensure that they get paid for a job well done.

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

Councilman Kirsh Aye
Councilman Kurdyla Absent
Councilman Norgalis Aye
Councilman Ring Aye
Council President Pedroso Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#21-03-18-091](#) is appended to the official minutes

AUTHORIZING CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT INCREASING THE CONTRACT PRICE FOR THE TWIN OAKS ROAD IMPROVEMENT PROJECT PHASES I AND II & STEELE GAP ROAD WITH CAPITAL PAVING AND CONTRACTING, LLC. (1225 ROUTE 31 SOUTH, BUILDING A SUITE 124, LEBANON, NJ 08833) FROM \$1,086,746.53 TO \$1,172,663.33, AN INCREASE OF 7.91% OR \$85,916.80, FUNDED THROUGH THE 2017 CAPITAL FUND

Township Administrator Pappas explained the change order was necessary as there were drainage issues that needed to be addressed and soil that needed to be moved off site.

On motion of Councilman Ring, seconded by Councilman Norgalis, the foregoing

resolution was proposed. The vote was as follows:

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#21-03-18-092](#) is appended to the official minutes

On the motion of Councilman Norgalis, seconded by Councilman Ring, the meeting adjourned at approximately 8:45pm.

Adjournment

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Filipe Pedroso
Council President