

**MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
APRIL 5, 2021 VIRTUAL MEETING**

The Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, convened in a regular session on Monday, April 5, 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 30, 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 Howard V. Norgalis
Councilman Timothy Ring
Council Vice President Allen Kurdyla
Council President Filipe Pedroso

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 Pedroso led the audience in the Pledge of Allegiance.

Minutes

MARCH 18, 2021 - REGULAR SESSION

On motion of Councilman Ring, seconded by Councilman Norgalis, the March 18, 2021 regular session minutes were moved for approval and passed unanimously on a voice call vote.

Council Reports

Councilman Norgalis:

- To our Jewish friends, I hope that your Passover celebration could still be held despite the continuing COVID restrictions. Passover, also called Pesach, is a major Jewish holiday that occurs in the spring on the 15th day of the Hebrew month of Nisan.

- To our Christian friends I am thankful for Psalm Sunday, Good Friday and Easter Sunday just passed as they represent the foundation of the Christian faith with many different church bodies united in faith.
- Attended the virtual RideWise meeting to hear about their plans for electric vehicles and especially charging stations. County Engineer Matt Loper was one of the speakers and spoke about the counties participation in doing the electric wiring for the charging stations at the library and town hall.
- Attended the Somerset County Quarterly Planning meeting to hear about their plans for the coming years. Items discussed included: Waste Water Plans, Road Safety and United Way initiatives.
- I note that the bids have come back on the Old Farm Rd project and it is on tonight's agenda for both sanitary sewer work and complete overlay. As one of only two streets accessing bridges over 287 in the Northwest part of the town, this street condition has been a dis-satisfier to travelers for several years.
- Best wishes to the high school students of Asian descent who are rallying in support of a united front opposed to anti-Asian treatment. As the Grandfather of a 14 year old girl of Chinese decent I am concerned for her future.

Councilman Ring:

- Attended a rally in support of the Asian American community in Bridgewater.
- Is in receipt of some correspondence related to an item on the agenda tonight for the repaving projects, in particular Redwood Road, as well as several emails both in support and against the Ordinances that are on tonight's agenda.

Councilman Kirsh

- On March 31st, he attended a virtual code night meeting which was an opportunity for residents to speak with key members of our building department. This was a follow up to the amnesty program we held back in February where for a brief period, residents were able to retroactively apply for and receive permits without fear of any penalties. This recent program was a way for residents to understand our approach to the code enforcement process in order to ensure our residents get their projects done the right way.
- On March 27th, Councilman Kirsh stated he was in downtown Basking Ridge

for a rally in support of anti-hate for Asian Americans not only in Bridgewater but also in neighboring communities as well.

- On April 3rd, Councilman Kirsh attended and spoke at the Bridgewater Rally in support of Asian Americans, organized by several local high school students. He asked that the statement he made at this rally be included in the official town council minutes. His comments were in two phases, one is that he stands up to any and all instances of hatred, oppression, or any other instances where members of our community are threatened either physically or verbally. The second is that he expresses support for initiatives that Mayor Moench has put in place, specifically geared towards the Asian community in Bridgewater.

Councilman Kirsh's Statement:

I like to think that Bridgewater residents are kind, caring, and compassionate. At the mall, we keep an eye on a runaway child until a parent can catch up to him or her and danger is averted. We donate time and money to local causes we hold dear. When shoveling a snowy sidewalk, we don't just stop at the property line but go several feet more— knowing that the next time that small favor will be returned by a neighbor. And when serious tragedy strikes, we rush to provide aid to that individual or family.

Today is a day of kindness, caring, and compassion, similar to what happened in downtown Basking Ridge last Saturday morning. Anyone with a heart is saddened and shaken when they learn about senseless violence toward one of our fellow men, women, or children. While everyone here in this courtyard is hurt, we must acknowledge that our Asian American and Pacific Islander friends feel that hurt more-- because of the shootings in the Atlanta area, 800 miles from here on March 16, along with the almost daily reports of race-based violence in New York City, just 40 miles from here.

When I was sworn in as a Councilman in January 2020, I made the following statement –

“Bridgewater is a rich tapestry of religions and cultures. There is no mainstream religion or political ideology that justifies hate or intolerance. We must remain vigilant; all stand up and say “that’s not alright” when we hear or see bigotry. Throughout my term, I will lend the office and title I hold, with whatever influence they may have, to encourage greater tolerance across our community and in broader society.”

Why did I choose to share that sentiment that day? In the face of another tragedy– the Pittsburgh Tree of Life synagogue shooting in October 2018– I experienced one of my greatest moments of pride as a Somerset County resident. I went to the community vigil at Temple Beth El in Hillsborough because I was shaken and hurt. 11 people just like me were dead. Others, including law enforcement, were recovering from injuries. At that moment I

wanted to be with and pray with my fellow Jews. But the lasting impression of that day was all the non-Jews who were there, lending their support at a time of our great need.

I am here today to offer my words and the equivalent of a socially distant hug, telling our Asian American friends that you are not alone, you are valued, you are loved, and you are supported in Bridgewater Township. In addition, I agree with the need for and importance of all the specific and tangible initiatives that Mayor Moench spoke about earlier.

In closing I want to offer particular appreciation to Emily Lu, Rachel Zhang, and the others who helped organize today's rally. You have performed a real service and provided a real blessing for this community. For Emily in particular, your typical BRHS classroom lies a few hundred yards from here, but the lessons you've learned today and impact you have created are profound and long-lasting.

Councilman Kurdyla:

- Attended the anti-hate rally for the Asian American community in Basking Ridge.
- Attended the anti-hate rally for the Asian American community here in Bridgewater and was pleased to hear that the comments made by all governing officials were in one voice and supported anti-hate.
- Recognized the contributions of Bob Forsythe who recently passed away. Among numerous other accomplishments, Councilman Kurdyla stated that Bob served for over 40-years in the Martinsville community as a member of the fire department.

Council President Pedroso

- Hoped that everyone had a happy and healthy Passover and Easter.
- Attended a meeting with the Somerset regional animal shelter.
- Was privileged to speak at a rally that occurred this weekend. Council President Pedroso recognized the efforts of the high school students who brought the community together in support of the Asian American community noting that Bridgewater is a diverse community that does not tolerate hate towards anyone.
- Appreciated the members of our police department that keep us safe and who will ensure Asian-Americans will remain safe in our community.

**Mayor's
Reports**

Mayor Matthew C. Moench

- Attended the “Stop Asian Hate” rally and was honored to speak on behalf of our community to condemn hate against Asian Americans as this seemed to create a culture of fear and to keep those folks in a state of inability to enjoy their homes and feel secure in our environment which is a form of terrorism. Administration continues to work with the Police Department, liaise with our religious leaders and work to direct resources to communities most impacted.

Proclamation

CHILD ABUSE PREVENTION MONTH

Mayor Matthew C. Moench read the following proclamation:

WHEREAS, we all have a responsibility as individuals, neighbors, community members and citizens of Bridgewater Township to help create healthy, nurturing and safe experiences for all children; and

WHEREAS, healthy and safe childhoods help produce confident and successful adults; and

WHEREAS, child abuse and neglect often occur when people find themselves in stressful situations, without community resources, and don't know how to cope; and

WHEREAS, incidences of child abuse and neglect can be reduced by making sure all families have the support they need and deserve to raise their children in healthy environments; and

WHEREAS, Court Appointed Special Advocates (CASA) is authorized by State Statute and Federal Law to help Court and Child Welfare systems make "best interest" decisions on behalf of children removed from home because of abuse or neglect; and

WHEREAS, CASA volunteer advocates in Bridgewater Township help to ensure that abused and neglected children who are placed in foster care and other out-of-home placements are safe and receive the services they need to achieve well-being; and

WHEREAS, CASA advocates reduce the number of moves between placements, help shorten the overall time a child remains in placement, and serve as a consistent person in the child's life until that child achieves permanency in a safe home with a loving family;

NOW THEREFORE, BE IT RESOLVED THAT I, Matthew C. Moench, Mayor of the Township of Bridgewater, do hereby proclaim April 2021 as Child Abuse Prevention Month and extend to all residents to engage in activities that

strengthen families and communities to provide the optimal environment for children to learn, grow and thrive so that all children have the benefit of happy, healthy and safe childhoods.

**Public
Comment**

On motion of Councilman Kurdyla, seconded by Councilman Norgalis, 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 that are on tonight's agenda. 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/Hi2WaldE>
- ⇒ 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:

**STATEMENT OF BRIDGEWATER TOWNSHIP MUNICIPAL
DEMOCRATIC COMMITTEE IN OPPOSITION TO
PROPOSED ORDINANCES "10A" and "10B" PROHIBITING THE LOCATION OF LEGAL
MARIJUANA-RELATED BUSINESSES IN BRIDGEWATER TOWNSHIP**

On November 3, 2020, the voters of New Jersey approved the legalization of marijuana under appropriate regulations, by a vote of 67% to 33%. The voters of Bridgewater supported this action by a similar vote of 61% to 39% and yet, with vague references to "quality of life" and "potential negative impacts", our elected officials have introduced ordinances that would declare our township off-limits to marijuana dispensaries and businesses devoted to the cultivation, manufacturing, packaging, distribution and delivery of this legal product. The Bridgewater Township Municipal Democratic Committee believes these proposed ordinances, identified on the April 5, 2021 Township Council agenda as ordinances "10A" and "10B", are unnecessary, are not desired by the people of Bridgewater and would create an economic and financial detriment to our community. We therefore call on the Bridgewater Township Council to reject these two ordinances.

The committee wishes to make clear that it is not taking a position on two other proposed ordinances, identified as “10C” and “10D” that would prohibit use of marijuana on public property or at public events. The committee accepts the concept that marijuana should be treated the same as alcohol and tobacco from a standpoint of public use. While some of our members may question whether ordinances “10C” and “10D” actually treat these substances equally, our focus is on the council's extraordinary and completely unjustified move to ban businesses that deal in a legal product. The ordinances that would do so are identified as “10A” and “10B” and we strongly oppose their adoption.

These ordinances infringe on the freedom of Bridgewater residents to engage in and patronize a lawful business, with no benefit to the community. At the March 18 meeting where these ordinances were introduced, the council members could offer only very vague and insubstantial reasons for banning these businesses. In fact, most of the discussion focused on the reasons to ban public use, with no solid reasons given for preventing retail dispensaries, warehousing businesses, processing facilities or the like. In Bridgewater we have a thriving business environment, including extensive retail space as well as industrial facilities. We can anticipate that in addition to dispensaries themselves, businesses involving the packaging, warehousing and distribution of this legal product would choose to locate here. We are confident that as a result of state regulations and local zoning control, Bridgewater would become the home of a limited number of these businesses, located in the appropriate places in our township. No good reasons have been offered for prohibiting these facilities from joining the active business environment here in Bridgewater.

On the other hand, the economic benefits of permitting these legal businesses to operate in Bridgewater are clear. At the March 18 meeting our elected officials suggested that the revenues to the township would be capped at 2% of the revenues of marijuana sales in Bridgewater. At best, this is highly misleading. The 2% refers to a sales tax that a municipality would be able to impose on sales of marijuana product, similar to the hotel room tax that is currently paid by places of lodging in the township. However, any marijuana business, like any business, would also be a property tax ratable. The township is always seeking tax ratables which, all other things being equal, relieve the property tax burden that is carried by homeowners. Additionally, it is possible that the township could receive revenue from the sale of licenses for retail marijuana establishments, just as they do now for places that sell alcoholic beverages. The most recent sale of a retail liquor license, on December 29, 2020, resulted in payment to the township of more than \$650,000. As for the 2% sales tax itself, the City of Paterson recently received its first check for a medical marijuana facility there, which is also subject to a 2% tax. Officials there had anticipated receiving approximately \$10,000.00 per month in sales tax revenues. Instead, based on the volume of sales, the actual payment received amounted to \$25,000.00 per month. While the circumstances in each

community are different, it is clear that the revenues from marijuana businesses would far exceed any costs involved in policing or regulating them. These funds could be used for any municipal purpose, but we believe most residents would like them to go toward priorities like road maintenance and seasonal costs such as snow removal. Marijuana businesses would produce revenues that would benefit our township and its residents, but none of these financial benefits will be realized if proposed ordinances “10A” and “10B” are adopted.

Also of concern is the rapid and rushed manner in which this ordinance is being proposed and considered by the Council. The state of New Jersey has afforded all municipalities 180 days, from the effective date of the state legislation on February 22, 2021, to determine whether to prohibit dispensaries and other marijuana-related businesses. That time expires in late August. The 180-day period allows time for the governing body to conduct hearings, invite extended public comment and input, and to give the issue thoughtful consideration after hearing from the public. These ordinances represent an extraordinary and perhaps unprecedented action in the annals of Bridgewater Township Government: The banning of sales of a legal substance. In such a situation, more than the bare minimum of public input is required. Yet, the bare minimum is apparently all we shall receive. These ordinances were introduced less than 30 days after the state legislation took effect, at the March 18 meeting, with final adoption scheduled for 18 days later, April 5. Those 18 days include three weekends as well as Passover, Good Friday, Easter and the Hindu holiday of Holi. While this schedule technically complies with the time requirements for adoption of an ordinance, it is clearly not in the spirit of allowing the public sufficient time to study these ordinances, consider the issues and provide meaningful public input. The effort by the mayor and council to rush through an ill-considered ordinance, without an adequate opportunity for public input, is one more thing they will have to answer for.

Regardless of when a final vote may take place, these ordinances do not benefit our community, impose unnecessary and costly restrictions on our citizens and business community, and should be rejected.

Sandra Rhue, 373 Pond Road, Bridgewater, NJ 08807

The Bridgewater Township Municipal Democratic Committee stated during these public comments that it believes these proposed ordinances, identified as “10A” and “10B”, are unnecessary, are not desired by the people of Bridgewater and would create an economic and financial detriment to our community, and therefore call on the Bridgewater Township Council to reject these two ordinances. I concur with the comments made by the Bridgewater Township Municipal Democratic Committee.

The ordinances deny businesses the opportunity to grow, process, warehouse, market, and distributes cannabis products within the township limits. The doors

are slammed shut on entrepreneurs or small businesses that would like to benefit from this niche industry in NJ. The only explanation given by these Honorable Councilman is that they want to maintain the Quality of life in Bridgewater, and make sure that Bridgewater under age 21 residents do not have access to a legal product and smoking it in public. It's difficult for me to believe that passing these four ordinances would stop young people from getting access to marijuana if they want to. As my mother said, "people are going to do what they are going to do!"

I urge the Bridgewater Town Council to reject Ordinances 10A and 10B and devote time to studying the impact that Cannabis products would have on Bridgewater's way of life, taxes, revenue, and expenses.

Cathy Franco, 766 Weemac Rd

I would like to comment on the townships stance on the sale and distribution of marijuana in Bridgewater. Please be aware that I was part of the "minority" in this state and in this township who voted against the legalization of marijuana. But - I am also against excess use of alcohol, nicotine products and vaping products.

Why is it that the town council and Mayor feels comfortable with these "products" being sold and distributed in our township and not other legalized substances (ie marijuana) especially when the sale or production/distribution of these could produce revenues for our township?

Why is it that we as a township feel the need to take a knee jerk reaction in April when the legislature has until august to propose and allow the opportunity for comment to "regulations" which have not yet been prepared or proposed but the township fears?

Why is it that the town elected officials choose to not represent the majority of their constituents (when more Bridgewater citizens voted for the approval of this referendum than voted for any one elected official in this town) this is not "representing your constituents" this is imposing your version of "morality" on constituents.

And lest we not forget that our esteemed president of the council has a gifting website that offers the sale of marijuana related products - I guess it's a good thing his business is not officially located within our township. Thank you for your time and the opportunity to share my views.

Sue Chipps, 21 Hayward Street

It saddens me greatly to even consider allowing marijuana to be legal in Bridgewater. Why aren't people taking into account that it is been proven to be a gateway drug that will only increase the number of teens and young adults

that we have grievously buried because of drug overdoses. I shake my head in disbelief at the thought that voters think it is acceptable to lead our youth down this road of addiction and often untimely death.

John Arcoleo, 1110 Washington Valley Road

How does a distribution facility in a nondescript warehouse in properly zoned area near Rt. 287 become "detrimental to the public health, safety, and welfare of the Township" as the ordinance reads.

Most Somerset County towns were attending a League of Municipalities meeting hours ago to learn more about the emerging state regulations RE cannabis. What is the need to rush to judgement in Bridgewater.

Hugh Giordano, 57 Argyle Ave Blackwood NJ

My name is Hugh Giordano and I am a Union Representative for the UFCW Local 152, the official Labor Union of Cannabis Workers both Medical and Adult-Use under the AFL-CIO. I would ask that the Council Members and Mayor table Ordinance 10 A and B. These ordinances are a direct harm to the working class within Bridgewater. It takes away the ability for create good Union Jobs from seed to sale and also hurts the Building Trades for the buildout of the Cannabis Industry. These Unionized Cannabis jobs come with a good wages, health care, dental, vision and a path to the middle class. To be blunt- these ordinances are both Anti- Union and Anti Patient, taking away access to local Jobs and Medicine. Again, the UFCW opposes the ban on Cannabis within Bridgewater.

The following Residents gave audio comments:

Kevin Lavin, 8 Redwood Road

He thanked Council for including Redwood Road in the proposed Ordinance for 2021 road repair. He acknowledged Councilman Ring for taking time to review their roads in order to better understand their concerns. He discussed Redwood Road noting it is a safety concern as it is badly and unevenly eroded and takes a toll on their cars and pets. He also discussed how curb appeal has been affected adding they pay taxes as other residents and felt neglected. Mr. Lavin however applauded the Council on the road program and encouraged the Council to vote yes on the paving bond ordinance on tonight's agenda in order for their roads to finally be rectified.

Joe Bender, 11 Redwood Road

He explained they were promised multiple times that Redwood Road would be on the list to be repaired but funds were diverted last minute to other roads. The street is in bad shape and they have no sidewalk. Appreciated that Redwood road is now on the list to be repaired and hoped they will not be taken off the list. Also appreciated the Council and township officials that went to review the condition of their road.

Anne Urlich, 9 Foothill Road

She spoke in opposition to the marijuana ordinances that are on tonight's agenda noting we should not continue to treat marijuana users as degenerates adding the majority of voters voted in favor of legalizing marijuana. She added laws regarding vaping and audibles would be incredibly hard to enforce. Not only would we gain revenue from businesses, we would also redirect resources otherwise used to reinforce hard to reinforce items.

Stephen Fowler, 12 Kathleen Place

Commended Jennifer Ostenberg, Director of the Senior Center for her work at the senior center during this treacherous pandemic time. She has made effort to reach the seniors and helped them schedule their vaccinations and provide information on how they can gain access to vaccines.

Jeffrey T King, 24 Elizabeth Pkwy, Eatontown, NJ

Spoke in opposition of the canabbis ordinances and asked Council not to ban marijuana businesses.

Elizabeth Hutchen, 527 Foothill Road

Lived in Bridgewater since 1949. She expressed her displeasure as the Council will be taking a vote tonight that will be against the will of the people. She endorsed the statement made by the Bridgewater Democratic Committee.

Mike Redler

He questioned if Council President Pedroso votes for the ban of marijuana, whether he will remove cannabis related products from his online store.

Wells Winegar, Deputy Township Administrator read the following additional comments:

Jennifer Feigley, 1600 Vosseller Avenue, Bridgewater

Thank you Mayor Moench, Council President Pedroso and Council members for facilitating public comments on this topic. I wish to first express my support for the statement previously made by the Bridgewater Democratic Municipal Committee. Furthermore, I would like to expand on the item of the most concern - the possible loss of financial benefits for Bridgewater by passing the proposed ordinances 10A & 10B. If the council chooses to ban these businesses, while we may decide to reverse course later on, the critical infrastructure for these businesses will likely already be in place in neighboring towns. The Raritan Borough council has already made statements confirming they will consider allowing these businesses to operate in their town, benefiting their citizens and ensuring fewer opportunities for such businesses to generate revenue in Bridgewater. In addition to dispensaries, tax ratable packaging, shipping, and warehousing facilities have the potential to generate substantial revenue for Bridgewater. Bridgewater is centrally located with access to several major

transit arteries - this is surely a reason why companies like UPS choose to operate facilities in Bridgewater. Over 60% of Bridgewater residents voted to legalize marijuana and the potential financial benefits for our town were a primary factor in this decision for many. The voices of the Bridgewater residents weighing in on this issue deserve a more thought out response, there is absolutely no reason to rush these ordinances through now when a decision is not needed until August. We cannot allow real- world financial gain for Bridgewater to be ignored in favor of symbolic moral posturing. I urge you to listen to the voices of your constituents and do not pass proposed ordinances 10A & 10B.

Joan DiPaola, 41 Ash Street

Regarding selling of marijuana in Bridgewater: Listening to all reasons sounds like money is issue. This month is for child abuse victims. Children can be victims outside of their homes. Do not our children matter more than money? We know this will affect them most. Marijuana use is proven to lead to harder drugs. Why do other town people get to try to push this use in our town?"

The following Residents gave audio comments:

Vincent DiPaola, 41 Ash Street

He spoke in favor of the proposed marijuana ordinances due to the negative effects it is known to cause.

Lefty Grimes, 84 Hanover Road, East Hanover

He spoke in opposition to the marijuana ordinances noting he is an advocate of disabled and cancer patients noting cannabis helps people with these and other ailments.

Jaime Van Scive, Greenwich Avenue, Hillsborough, NJ

She stated that state statute governs that she should be allowed to be on video for public comment. Township Attorney Corsini advised there is subsequent information that DCA has released.

Ms. Scive stated she is a cannabis patient and spoke in opposition to the cannabis ordinances and asked that Council table these Ordinances.

Gary Weile, 3 Shaw, Bridgewater, NJ

Spoke in opposition to Ordinances 11a and 11b noting the income tax and retables has a direct effect on our own taxes adding the majority of the residents voted in favor of legalizing marijuana.

Philip DeBello and Kim DeBello, 2 Redwood Road, Bridgewater, NJ
Acknowledged Councilman Ring for advocating for the roads for the residents at

Redwood. They discussed the condition of their roads and the safety issue that currently exists. They hoped that this road will be remedied.

Jill Gladstone, 25 Milbane Lane

She stated her comments are as a private citizen. Supports the comments made by the democratic committee and spoke in opposition to the proposed cannabis ordinances adding cannabis could not only bring ratables to the township, but there could be spillover to already-existing businesses.

Chris Velasquez

He spoke in opposition to the proposed marijuana ordinances noting he fights for cannabis patients to be able to access cannabis. He discussed the benefits of cannabis.

Marina Redmann, 3 Borough Square Parla, NJ

Spoke in opposition to the proposed marijuana ordinances noting she is a cancer patient and has an anxiety disorder and cannabis assists in her medicinally.

Wells Winegar, Deputy Township Administrator read the following additional comments:

Aaron Choyneke, 414 cardinal way Raritan NJ 08869

I feel like the restriction on smoking on public property should only count in areas where smoking tobacco is also restricted. I also feel that the restriction of sale of marijuana doesn't make sense when people should be able to sell their legal property

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

**Public
Hearing &
Final Action
Ordinances**

The Mayor and Council made comment with regard to the following Ordinances:

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

Council President Pedroso addressed the comments with regard to his online store giftapart.com noting it provides a very unique way of gifting and is the only company in the world that allows you to get a gift in the order that you want. They work with established retailers and have hundreds of stores providing millions of products. None of the products sold on giftapart, as far as he is aware, are illegal products; they are products you can find at any store/mall across America and are not actual marijuana/paraphilia that would be used for the consumption of marijuana.

Mayor Moench thanked the public/residents for their participation and interest. He stated the Ordinances have nothing to do with whether or not recreational marijuana should or should not be legalized adding that marijuana is legal in the State of New Jersey. The issue, he stated, is how to regulate the rollout of legalized marijuana. He added it is not about medical marijuana or about criminalizing recreational marijuana usage.

Mayor Moench elaborated that the council is using the provisions set forth by the state legislature for municipalities, which was authorized and signed by Governor Phil Murphy in February, and that the council's actions are not an "end run" around the issue. He said the township is also following guidelines from the League of Municipalities, and that the 67% approval figure for marijuana is very broad. Mayor Moench added that regulations will be put into place, and that if town officials stand by and do nothing, they could completely lose control to regulate such businesses, as provided by law, for a five-year period.

Mayor Moench said it is prudent for the township to not give up its regulatory ability, and that if it prohibits recreational marijuana now, it could change that stance and approve it in the future, but not the other way around. He said alcohol is a highly-regulated industry, but the same is not necessarily true of marijuana, in terms of issues like zoning or hours of sale and operation. He added that the township needs answers to such questions, or it would be irresponsible, and there is no idea of the impact of dispensaries upon traffic and the like.

Concerning revenue amounts, Mayor Moench said the numbers are unknown, and that those figures brought up by the Bridgewater Township Democratic Municipal Committee had either been negligent or deceptive. With regard to the \$25,000 per month supposedly brought in by a Paterson marijuana facility, Mayor Moench used California, which brought in some \$320 million in cannabis sales last year, as an example. He said that with the 2% cap on cannabis sales in

New Jersey, that figure would result in about \$6.4 million for the entire Garden State, about \$410,000 in revenue for Bridgewater Township, and about \$6 to \$10 in savings off of the average local tax bill. He also pointed out that California has some five times as many residents as New Jersey's population of roughly 7 million individuals, and that "revenue falling from the sky" from cannabis sales was simply not true.

Councilman Howard Norgalis said he is concerned about the state legislation, with the sundown period for cannabis coming in August. He added that he is in favor of being active now and changing it later, and that the township would be stuck if it did nothing. He stated he is in favor of this legislation because in the long run, it protects our kids.

Councilman Timothy Ring echoed Moench's statements regarding potential cannabis revenues for the township, and added that New Jersey would only be authorized to have so many medical marijuana facilities in the state. He added there are so many unanswered questions at this time.

Councilman Ring further stated he was also in favor of opting out, considering the five-year moratorium that had been discussed noting it is like a blank check. He said the legislature had been irresponsible to do as it had done, and that the League of Municipalities had said that if townships had their doubts about cannabis, they should ban it now. He added that the matter could be revisited in the future by Bridgewater, and not by waiting for regulations coming in August.

Councilman Michael Kirsh made the following statement:

First, I want to compliment the many Bridgewater residents for making their feelings known on pending ordinances 10A through 10D, both tonight and when we met on March 18.

To be clear, in November 2020 New Jersey voters approved the use of recreational marijuana, subject to a series of pending regulations. The critical operative word is pending, meaning that they are not yet determined and will not be known for months. Voters were not asked where or how recreational marijuana should be sold. Bridgewater's Mayor and Council have an absolute responsibility for determining how our community is planned and what it looks like.

The impacts of recreational marijuana dispensaries in New Jersey are simply unknown. The argument of "let's just allow this so we don't leave money on the table" ignores the very real incremental expenses experienced in other states with recreational marijuana dispensaries. Until and unless real and documented benefits in other communities are shown that clearly and unequivocally far exceed negative impacts, the wait and see approach, specifically advocated in

ordinances 10A and 10B, is the wisest approach.

The proposed actions do not change the status of medical marijuana. Ordinances 10C and 10D will protect our collective quality of life by restricting public use of recreational marijuana. These proposals have no impact on the ability of adults 21 and over to legally use recreational marijuana in the privacy of their own homes. I will support all 4 of these ordinances.

Councilman Allen Kurdyla said government has a responsibility to act because we are unaware of what rules and regulations will be. He also supported the ordinances, and making other decisions when we absolutely know what we're dealing with.

Council president Filipe Pedroso said he appreciated the public's comments and feedback, and added that his primary concern is what is best for Bridgewater. He said the law passed by the state stinks and that the council has to act within six months, or it would be able to do nothing for five years regarding the sale of marijuana in Bridgewater.

Pedroso added that the township could be guinea pigs in the matter, or could do the prudent thing and wait it out. He also said it was not about impacting the use of recreational marijuana in private homes, but about zoning and quality of life issues. The township, Councilman Pedroso said, needs to study the impact of financial numbers, that potential revenue is limited and reiterated his statement from March that the quality of life in Bridgewater is not for sale, in the same way that town officials oppose overdevelopment. He also said it is about making decisions based on what's best for the residents, and not what will bring us the most money.

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	Aye
Councilman Norgalis	Aye
Councilman Ring	Aye
Council President Pedroso	Aye

ORDINANCE #21-03 WAS ADOPTED.

A copy of resolution [#21-04-05-093](#) is appended to the official minutes

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

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

ORDINANCE #21-04 WAS ADOPTED.

A copy of resolution [#21-04-05-094](#) is appended to the official minutes

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 Kirsh, seconded by Councilman Kurdyla, the foregoing Ordinance was proposed. The vote was as follows:

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

ORDINANCE #21-05 WAS ADOPTED.

A copy of resolution [#21-04-05-095](#) is appended to the official minutes

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 Norgalis, seconded by Councilman Kurdyla, the foregoing Ordinance was proposed. The vote was as follows:

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

Introduction
of
Ordinances

ORDINANCE #21-06 WAS ADOPTED.

A copy of resolution **#21-04-05-096** is appended to the official minutes

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$8,000,000 FOR VARIOUS ROAD IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO FIELD STREET, WOODROW AVENUE, POPLAR STREET, RED LION WAY, ST. GEORGES ROAD, CAMBRIDGE LANE, MALLARD DRIVE, MASTAPETER ROAD, AMUR ROAD, AND REDWOOD ROAD, INCLUDING CURBING, MILLING, PAVING, DRAINAGE, SEWER AND OTHER MISCELLANEOUS IMPROVEMENTS AND VARIOUS ROAD OVERLAYS THROUGHOUT THE TOWNSHIP IN AND BY THE TOWNSHIP OF BRIDGEWATER, IN THE COUNTY OF SOMERSET, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$7,600,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION

Mayor Moench stated that last year we hired an independent consultant to investigate the condition of every township road in Bridgewater and then use objective criteria to help create a long term road plan. As a result of that, we put together a five year plan and request that the Council allocate \$8M/year towards roads. Those roads would then be prioritized and repaired in sections. This Ordinance entails this year's plan. This is being done early with the goal to complete the work in summer/fall and its likely to we will have better pricing. Residents were advised to visit ourbwroads.com for more information and updates that concern our roads.

Council expressed their appreciation to the Mayor for his work and initiative and vision for tackling Bridgewater Roads.

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

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

THE ORDINANCE WAS INTRODUCED.

A copy of resolution **#21-04-05-097** is appended to the official minutes

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

BE IT FURTHER RESOLVED, that the said pending ordinance be passed on first reading and advertised as required by statute fixing the 19th 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 Director of Finance will forward the Supplemental Debt Statement received this date electronically to the Division of Local Government Services in the Department of Community Affairs, Trenton, New Jersey.

AN ORDINANCE AMENDING CHAPTER 99 ENTITLED “FIRE PREVENTION” TO UPDATE FIRE PREVENTION REQUIREMENTS, STRUCTURES, USES, INSPECTIONS, PERMIT AND REGISTRATION FEES, AND PENALTIES IN ACCORDANCE WITH THE NEW JERSEY UNIFORM FIRE CODE

Mayor Moench explained this will allow us to update our fee structure in order to cover the cost for services provided. Michael Pappas, Township Administrator and Thomas Genova, Director of Municipal Services were commended for their work on this effort.

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

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

[THE ORDINANCE WAS INTRODUCED.](#)

A copy of resolution [#21-04-05-098](#) is appended to the official minutes

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

BE IT FURTHER RESOLVED, that the said pending ordinance be passed on first reading and advertised as required by statute fixing the 19th 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 126-321.4 ENTITLED “LOW AND MODERATE-INCOME HOUSING” TO PROVIDE FOR A COMPREHENSIVE AFFORDABILITY ASSISTANCE PROGRAM ADMINISTERED BY WAY OF AN AFFORDABILITY ASSISTANCE AND PROCEDURES MANUAL

Township Administrator Pappas advised we entered into a settlement agreement for affordable housing as did all NJ municipalities. This is a component of our periodic update of some documents that were part of that settlement.

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

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

[THE ORDINANCE WAS INTRODUCED.](#)

A copy of resolution [#21-04-05-099](#) is appended to the official minutes

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

BE IT FURTHER RESOLVED, that the said pending ordinance be passed on first reading and advertised as required by statute fixing the 19th 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

RESOLUTION PROVIDING FOR EMERGENCY TEMPORARY APPROPRIATIONS FOR CURRENT FUND \$ 462,000.00

Township Administrator Pappas explained this temporary budget will provide the deposit required for the road bond ordinance that was adopted tonight and for various other administrative functions.

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 Norgalis	Aye
Councilman Ring	Aye
Council President Pedroso	Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#21-04-05-100](#) is appended to the official minutes

RESOLUTION PROVIDING FOR EMERGENCY TEMPORARY APPROPRIATIONS FOR SEWER UTILITY FUND \$ 2,747,026.37

Township Administrator Pappas explained this monies will carry us for a few additional months until the 2021 budget is finalized. Mayor Moench further explained the budget continues to be worked on as there are some items pending such as COVID-19 relief monies etc. Once these items are finalized, administration will be able to present the budget to Council for consideration.

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 Norgalis	Aye
Councilman Ring	Aye
Council President Pedroso	Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#21-04-05-101](#) is appended to the official minutes

RESOLUTION TO ENTER INTO AN AGREEMENT BETWEEN THE TOWNSHIP OF BRIDGEWATER AND THE COUNTY OF SOMERSET FOR A CERTIFIED RECYCLING PROFESSIONAL (CRP) TO COMMENCE RETROACTIVELY TO JANUARY 1, 2021 THROUGH DECEMBER 31, 2021

After considerable discussion, this resolution was tabled in order to allow time for Council's concerns to be addressed. This resolution will be placed on the next regular Council session.

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

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

ADOPTING AN AFFORDABILITY ASSISTANCE AND PROCEDURES MANUAL, AN AFFORDABLE HOUSING ADMINISTRATIVE AGENT POLICIES & PROCEDURES MANUAL, AND A HOUSING REHABILITATION MANUAL

Township Administrator Pappas explained that in 2017, the Township entered into a Settlement Agreement with Fair Share Housing Center. As a result of the Settlement Agreement, the Township is required to adopt updated Affordability Assistance, Administrative Agent, and Housing Rehabilitation Manuals.

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 Norgalis	Aye
Councilman Ring	Aye
Council President Pedroso	Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#21-04-05-102](#) is appended to the official minutes

AWARD OF CONTRACT TO KM CONSTRUCTION CORP., (14 CORDIER STREET, IRVINGTON, NJ 07111) FOR THE OLD FARM ROAD SERVICE AREA EXPANSION - 2019, SANITARY SEWER EXTENSION AND ROADWAY RESTORATION PROJECT, IN THE SUM OF \$1,083,132.95, FUNDED THROUGH THE 2017 SEWER CAPITAL BOND ORDINANCE

Township Administrator Pappas stated this is another example of a low bid that we have received.

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 Norgalis	Aye
Councilman Ring	Aye
Council President Pedroso	Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#21-04-05-103](#) is appended to the official minutes

MEMORIALIZING FIREWORK DISPLAYS AT SOMERSET PATRIOTS STADIUM ON TUESDAY, MAY 4 (RAIN DATE 5-8), FRIDAY, MAY 28 (RAIN DATE 5-29), SATURDAY, JUNE 5 (RAIN DATE 6-19), FRIDAY, JUNE 18 (RAIN DATE 7-9), TUESDAY, JULY 6 (RAIN DATE 7-7), SATURDAY, JULY 10 (RAIN DATE 7-24) FRIDAY, JULY 23 (RAIN DATE 8-6), SATURDAY, AUGUST 7 (RAIN DATE 8-14), , FRIDAY, AUGUST 13 (RAIN DATE 8-27), SATURDAY, AUGUST 28 (RAIN DATE 9-9), AND FRIDAY, SEPTEMBER 10 (RAIN DATE 9-11)

Township Administrator Pappas stated he was pleased to present a list of dates for the entire year for fireworks display for Somerset patriots as was requested last year.

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 Norgalis	Aye
Councilman Ring	Aye
Council President Pedroso	Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#21-04-05-104](#) is appended to the official minutes

Adjournment

On the motion of Councilman Norgalis, seconded by Councilman Kurdyla, the meeting adjourned at approximately 9:50 p.m.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Filipe Pedroso
Council President