

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
SEPTEMBER 19, 2022 COUNCIL CHAMBERS

The Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, convened in a regular session on Monday, September 19, 2022 at 7:30 p.m. in Council Chambers in the Municipal Complex, Bridgewater, New Jersey 08807 & via Live Online Broadcast.

Council President Kurdyla 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 7, 2022, BY SENDING WRITTEN NOTICE AND ELECTRONIC NOTICE 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. A SUBSEQUENT NOTICE WITH LIVESTREAM INFORMATION WAS PROVIDED ON MAY 12, 2022.

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

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

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

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

Minutes

JULY 18, 2022 - REGULAR SESSION

JUNE 9, 2022 & JUNE 16, 2022 - CLOSED SESSIONS

On motion of Councilman Ring, seconded by Councilman Norgalis, the February 23, 2022 regular session minutes were moved for approval and passed unanimously on a voice call vote.

Council Reports

Councilman Kirsh

- Stated the 9/11 Commemoration ceremony was moved indoors due to increment weather. The Office of Constituent Relations did a great job! Councilman Kirsh offered it is important for us to continue to

commemorate this day.

- Had the opportunity to help the Bridgewater Raritan Panther Youth Football league dedicate a bench in memory of Devon Little at Harry Ally Park. Devon moved to our community and raised his family while being deeply involved in football league. He unfortunately passed away earlier this year. A large crowd of youth football players and parents attended the bench's dedication which was a successful partnership between the football league and the township.
- Bridgewater Community Day, in conjunction with the JCC, had a very successful turnout. Batman with his bat mobile and cat women were there. Everybody had a good time as no frills were spared for this event.

Councilman Norgalis:

- The 9/11 Ceremony has already been touched upon so I will simply say it was a very moving ceremony to honor the Bridgewater residents lost on 9/11.
- The first of two Township Bulky Trash Collections was held last Saturday at the Polhemus Lane site. As usual a faithful band of DPW employees organized by Superintendent Richard Schimp were there to assist residents in unloading. I want to publicly acknowledge the eight who supported the public that day They are:

Glen Cullen
Jim Stangle
Brian Sowden
Don DiNorscio
Rich Wilk
Ted Lecko
Tim Kolvites
Kevin Ashmead

Thank you, gentlemen.

- Bulky trash is one of the few opportunities for our residents to personally interface with DPW employees. The last Fall collection is next Saturday from 8am to 1pm.
- I received feedback on our road construction program from two residents. A resident on Rolling Knolls, which is off Meadow Rd spoke glowingly about the extensive road reconstruction being done by Top Line Construction. He gave Top Line high marks for being on the job literally

every day.

- A Sherlin Dr, resident was hopeful street work would move a little quicker. I provided the resident with the latest info courtesy of Mayor Moench. Road Projects are very complex and the schedule of actual work is dependent on weather, material and contractor availability all of which are beyond Township control.
- Councilman Ring has or will talk about the renewed request before the Planning Board from PSE&G for a full-time access road to their Route 22 site from Sebring Ave. a residential street. A request for an emergency access at precisely the same Sebring Ave. spot was rejected by the Planning Board a few years ago. I hope this request simply goes away.

Councilman Pedroso:

- Attended the 9/11 memorial event at the township. Councilman Pedroso thanked the Mayor and Office of Constituent Relations for putting together an exceptional event. He added he had the honor of speaking about a Bridgewater resident, Evan Baron, who passed away on 9/11 at the north tower. The six (6) Bridgewater residents and nearly 3000 others who died on 9/11 were also commemorated.
- Echoed Councilman Norgalis' sentiments concerning the bulky trash event adding that he too used this service over the weekend. The DPW staff were very professional and did a great job.
- Attended an event for minority leader John DeMeio noting he does a great job representing the town in Trenton.
- Attended Somerset County Governing Officials meeting this week.
- Attended the Bridgewater Community Day this past weekend adding that he and his family had a meaningful time and that the JCC did a great job.

Councilman Ring:

- The Planning Board met on September 13th with regard to the Quarry reclamation review plan. Back in the early 80's, Somerset County was looking to utilize a portion of the Quarry as a landfill. There was an agreement around 1986/1987 between Bridgewater and the Quarry that prevented this from happening. Quarry was asked to come back with additional documentation to support their plan.
- The Meeting with regard to PSE&G was cancelled and will be rescheduled

to a later date.

- Attended a committee meeting for first responder's memorial which involved a proposal for a project in the courtyard. This should be starting to move forward in the near future.
- Was also in attendance at Community day. Councilman Ring thanked all those involved in making this a successful event.
- Residents have reached out regarding plans for Rolling Hills Road. Councilman Ring offered this project will not be happening this year as the town is still looking at the overall design to determine next steps.
- Was recently contacted by a resident regarding the train trestle crossing on Milltown road. Councilman Ring offered it is his understanding that NJ transit is responsible to maintain this one lane bridge.
- With regard to complaints about the Post Office, Councilman Ring stated the Township has zero enforcement. More information will soon follow.

Council President Kurdyla

- Stated that being a part of the 9/11 ceremony is truly a privilege.
- Spent the week at the fireman's convention working as a county executive and then attended legislative meetings with the state board of fire commissioners.

Mayor's Reports

Michael Pappas, Township Administrator spoke on behalf of Mayor Matthew C. Moench

- Thanked everyone for coming together and putting together a successful Community day.
- The Annual fall festival was held at the Martinsville Community center. The Office of Constituent Relations, along with several police officers were in attendance.
- Although there was a minor setback to the 2022 Road program due to supply shortages, we will continue to move forward. More information on this will follow in late fall.
- Thanked all those involved in making the 9/11 commemoration ceremony a successful event.

Presentation

ESCROW FEES

Thomas Genova, Director of Municipal Services was present and made presentation as follows:

NJ Statute 40:55D-53.2 of the Municipal Land Use Law Titled “Payments to professionals serving municipality; deposits towards expenses”.

This chapter deals with Escrow Accounts that are used to pay professionals for services rendered to the municipality or approving authority for review of applications for development, review and preparation of documents and inspection of improvements associated with applications for development.

There are two types of escrow accounts:

Escrow accounts that are for the review of applications for development by the Township consultants are known as Review Escrow. The funds are deposited by the applicant and are used to pay invoices submitted by the consultants. When there are improvements required by a land development approval, an escrow account is established to pay the Township professionals to inspect the improvements. These accounts are known as Inspection Escrow.

Mr. Genova offered he was present to make a request to the Council to amend Chapter 126-35 of the Township Code Regarding Escrow fees. Specifically, replenishment of Escrow accounts.

When an escrow account contains insufficient funds to enable the municipality to perform required application reviews or inspections, it creates problems as the township professionals and consultants cannot receive payment for services rendered. This also creates additional work for Township employees in attempting to collect the funds.

To improve the consistency and amount of land use applicant escrow replenishments, an amendment of Chapter 126-35 regarding escrow fees is required. It will simply clarify that whenever an escrow account falls below 25% of the original escrow deposit it will be replenished with 75% of the original escrow deposit. This will ensure that the Township’s consultants are able to timely review and inspect land use applications and improvements and receive remuneration for the same.

This change will be in addition to a one-page escrow agreement to be signed by the applicant acknowledging the same.

Following the presentation, Mr. Genova fielded questions from the governing body.

**Public
Comment**

Members of the public wishing to address the Council on any matter will be allowed two minutes to speak unless there are unusual circumstances.

On motion of Councilman Norgalis, seconded by Councilman Kirsh, the meeting was opened to the public for comment.

Larisha DeJesus, 35 Perry Drive, Bridgewater, NJ 08807

Ms. DeJesus expressed concern over the condition of her neighborhood noting there is boarded house on Linden Avenue and debris everywhere on Oak and Chestnut. The park is in depraved condition which requires that she cleans it up weekly. Ms. DeJesus asked if there is anything the town can do to clean up her neighborhood.

Council offered administration will send Public Works to look into this.

John Arcoleo, 1110 Washington Valley Rd Bridgewater, NJ 08836

Mr. Arcoleo stated that following a chance encounter at a charity event with Senator Zwicker, the Andrew Thomas Lobosco Memorial Bridge has been painted.

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

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF BRIDGEWATER TO CREATE THE RMDU-26 MULTIFAMILY RESIDENTIAL ZONE AT THE SITE OF THE HYATT HOUSE, BLOCK 400, LOT 7 LOCATED AT 530 ROUTE 22.

**Public
Hearing &
Final Action
Ordinances**

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

John Arcoleo, 1110 Washington Valley Rd Bridgewater, NJ 08836

Mr. Arcoleo questioned what will happen if the low-income houses do not get rented out. He also offered there are currently no sidewalks and was concerned about the safety of children.

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

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

Councilman Kirsh	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Nay

Councilman Ring Aye
Council President Kurdyla Aye

ORDINANCE #22-17 WAS ADOPTED.

A copy of resolution [#22-09-19-253](#) is appended to the official minutes

AN ORDINANCE AMENDING CHAPTER 4 (ADMINISTRATIVE ORGANIZATIONS), ARTICLE XIV (DEPARTMENT OF POLICE), SECTION 4-82 (DEPARTMENT CONTINUED) AND SECTION 4-83 (PROMOTIONS), AND SECTION 4-84 (CHIEF OF POLICE) OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER TO UPDATE AND CLARIFY CERTAIN PROCEDURES AND CODE PROVISIONS

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

No one wished to be heard.

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

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

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

ORDINANCE #22-25 WAS ADOPTED.

A copy of resolution [#22-09-19-254](#) is appended to the official minutes

Introduction
of
Ordinances

AN ORDINANCE AMENDING THE LOCATION OF THE C-2 REGIONAL RETAIL BUSINESS ZONE BOUNDARY LINE TO INCLUDE A PORTION OF BLOCK 411.01, LOT 42, ALSO KNOWN AS 100 COMMONS WAY

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

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

THE ORDINANCE # 22-26 WAS INTRODUCED.

A copy of resolution [#22-09-19-255](#) 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 September, 2022, at 7:30 p.m. prevailing time on said day as the time and the Bridgewater Township Municipal Court Chambers at 100 Commons Way in said Township as the place for hearing and final action.

FURTHER RESOLVED that the Township Clerk shall forthwith post on the bulletin board in the Township Municipal Building at 100 Commons Way, a true copy of said ordinance and make copies available to members of the general public and spread the same upon the minutes of the meeting.

Resolutions

AUTHORIZING THE SALE OF VARIOUS ITEMS (LISTED IN ATTACHED SCHEDULE) OF MUNICIPAL PERSONAL PROPERTY OWNED BY THE TOWNSHIP OF BRIDGEWATER THROUGH THE COUNTY OF SOMERSET IN THE MANNER OF A PUBLIC AND/OR INTERNET AUCTION

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#22-09-19-256](#) is appended to the official minutes

PERSON TO PERSON AND PLACE TO PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE FROM (LICENSE) ANTSUL-BWW II, LLC, 970 ROUTE 22, BRIDGEWATER LICENSE NUMBER 1806-33-010-008 TO (APPLICANT) JACK D. LITMAN OF MUNSON OF BRIDGEWATER WINGS, LLC, TRADE NAME BUFFALO WILD WINGS BAR & GRILL, NEW LICENSE NUMBER 1806-33-010-009

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#22-09-19-257](#) is appended to the official minutes

**Closed
Session**

BE IT RESOLVED, by the Bridgewater Township Council that this body will now hold a closed meeting to discuss pending litigation.

When and if the matters discussed become public record, this will be made known to the public at that time.

The public is excluded from said meeting and further notice thereof is dispensed with all in accordance with Sections 8 and 4a of the Open Public Meetings Act.

On the motion of Councilman Norgalis, seconded by Councilman Kirsh, Council convened in closed session at approximately 8:21 p.m.

A copy of resolution [#22-09-19-258](#) is appended to the official minutes.

On the motion of Councilman Ring, seconded by Councilman Norgalis, the meeting reconvened to open session at approximately 8:29 p.m. and adjourned immediately thereafter.

Adjournment

On the motion of Councilman Ring, seconded by Councilman Norgalis, the meeting adjourned at approximately 8:29 p.m.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Allen Kurdyla
Council President