

**MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
DECEMBER 05, 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, December 5, 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 (arrived at 7:48pm)
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
 Grace Njuguna, Deputy Township Clerk

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

Minutes

OCTOBER 3, 2022 - REGULAR SESSION

AUGUST 1ST AND SEPTEMBER 8, 2022 - CLOSED SESSIONS

On motion of Councilman Ring, seconded by Councilman Norgalis, the October 3, 2022 regular session minutes were moved for approval and passed unanimously on a voice call vote.

Council Reports

Councilman Kirsh

- Shortly after the last Council meeting, had the privilege of representing the Mayor and Council at the “Skate for the Paws” event in support of the Animal Shelter. Six dogs were adopted and \$1,200 was raised.

- Attended a number of sessions during the League of Municipalities at day time and a number of dinners and receptions during the night.
- Was present at the 3rd annual Christmas Tree lighting and holiday celebration this past Friday. Acknowledged Mayor Moench' s efforts towards community celebration and the Office of Constituent Relations and all that participated for executing a great event.

Councilman Norgalis:

- His vacation plans have languished for several years due to COVID. Councilman Norgalis stated he was finally able to see his relatives for the first time in three years and it was very sweet.
- Attended the quarterly Emergency Planning meeting and among numerous other issues the police are planning a large-scale joint exercise with the Branchburg Police Dept. sometime next year.
- The annual license renewal for the Stavola Quarry will be on the agenda for the next council meeting. At the request of the Township Administration, Stavola executives conducted several meetings with residents to discuss their mining process and safeguards.
- The cleanup of the old American Cyanamid site by the Patriot Stadium continues with financial support for the EPA. The cleanup of this Super Fund site has been a long long process and sorely needed. Anyone who lived nearby in the 1970 and 1980 timeframe will recall the “stink” coming from that organic facility.
- Had the privilege of being the Master of Ceremony for the Bridgewater third annual Christmas tree lighting last week, Hot coco and good cheer abounded.
- The Hindu Temple had a celebration and distributed checks to several Bridgewater organizations as part of philanthropic endeavor.
- Attended the Holiday celebration for the Bridgewater Senior Club held at the Bridgewater Manor. What a great group of energized senior citizens.
- Attended the police promotion ceremony for captain, Lieutenant and sergeant.

Councilman Pedroso:

- Attended the Christmas Tree Lighting Ceremony.

- Has been watching the US Soccer team on the World Cup and was saddened by their loss.
- Attended the league of municipalities at which time Mayor Moench, alongside ten (10) others Mayors received an award of recognition for their hard work.

Councilman Ring:

- Participated in the League of Municipalities and offered the sessions were much better than they were last year.
- On November 18th, participated in the Athletifreak grand opening at the Bridgewater commons Mall.
- On November 22nd, participated in the grand opening of the Kurry & Naan Indian restaurant on Prince Rodgers.
- Attended a First responders memorial monument meeting last week. That group will soon be ready to present their findings to the governing body in order to start moving that project forward.
- Attended a meeting at Stavola Quarry as the Planning Board was afforded a bus tour opportunity of their facility.
- Participated in the Christmas Tree Lighting Ceremony here in the municipal courtyard.
- The November 22nd Planning Board meeting was supposed to be a continuation of the Bridgewater Accessory Associates application to tear down three buildings and build a new 56,000s.f. warehouse in the corner of Chimney Rock and Route 22. At the request of the applicant, this application has been carried to February 14th. The next Planning Board meeting is December 13th. PSE&G is coming in for a minor site plan approval of their property at North Bridge and Route 22.
- The Zoning Board has a continuation of a hearing for a residential modification to a residence tomorrow that was not completed at their last meeting. They were also scheduled to hear the application for Centerpointe/ Signature Acquisitions Office complex on Route 22 where four (4) office buildings are proposed to be torn down and replaced by a 142,000s.f. warehouse and 138,000s.f. warehouse. This application has been rescheduled to January 31st.

- Both the December 20th Zoning Board meeting and the December 27th Planning Board meeting have been cancelled due to the proximity of the Christmas Holiday

Council President Kurdyla

- Regretfully missed the Township's Christmas Tree lighting ceremony this past Friday as he was hosting a dinner for our Township's Fire Men's Association. Thanked all involved in making this event a success.
- Attended the police promotion ceremony for captain, Lieutenant and sergeant.
- Attended the League of Municipalities; attended a records management session and an ethics session.
- Attended the grand opening for Kurry & Naan Indian restaurant on Prince Rodgers

Mayor's Reports

Mayor Matthew C. Moench

- Thanked all the staff members who participated and coordinated in making the Christmas tree Lighting Ceremony a success. Thanked the Somerset Hills harmony choir for their participation at this event
- The Menorah lighting ceremony is scheduled for December 20th.
- Thanked the Zoning Board chairman, Jeff Foose, who raised the issue that we should avoid land use board meetings during the holidays. Moving forward, as much as it is possible, land use meetings shall not be held during these times.
- Sent his condolences to Rose Witt, a long-term employee who recently lost her husband.
- Was selected to participate in an organization called the American Council of young political leaders. It is run in conjunction with the US State department where they provide opportunities for elected officials who are 40 years old and younger to go to another country with a delegation from the United States to meet with leaders from that Country and learn about government politics and exchange thoughts and ideas. Mayor Moench was selected to go to Canada so he will be away starting this week and into next week. He will be travelling to Adwoa, Montreal and Halifax Nova Scotia to meet with government folks there.

Presentation NONE

Proclamation NONE

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

Jennifer Loughran, 716 Falcon Court, Bridgewater, NJ 08807

On November 12th, held Skate for the Paws here at the municipal building. Expressed she was grateful for the spotlight that was given to kids in this community. Real talent, including skateboarders and musicians got an opportunity that they do not always get to have. Thanked Mayor Moench and Township Administrator Pappas for their support and Councilman Kirsh for introducing the Stars legal banner and recognizing local veterans. Also thanked the Bridgewater recreation department for supporting skateboarding and their programs since inception as well the Public Works for their assistance.

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

Public Hearing & Final Action Ordinances

AN ORDINANCE AMENDING CHAPTERS 126-34 AND 126-35 OF THE TOWNSHIP OF BRIDGEWATER CODE REGARDING ESCROW FEES FOR LAND USE

The purpose of this ordinance is to clarify the escrow replenishment obligation for land use applications.

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

No one wished to be heard.

On motion of Councilman Kirsh, seconded by Councilman Norgalis, 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	Aye

Councilman Ring Aye
Council President Kurdyla Aye

ORDINANCE #22-29 WAS ADOPTED.

A copy of resolution [#22-12-05-304](#) is appended to the official minutes

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$254,778.42 FOR THE BRIDGEWATER SENIOR CENTER COVID-19 RESILIENCY PROJECT, IN AND BY THE TOWNSHIP OF BRIDGEWATER, IN THE COUNTY OF SOMERSET, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF 242,040 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION. THE TOWNSHIP OF BRIDGEWATER EXECUTED A GRANT AGREEMENT WITH THE COUNTY OF SOMERSET FOR THE PROVISION OF GRANT FUNDS TO COVER THE PROJECT COST IN FULL

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.

Council was in consensus this is a great initiative.

On motion of Councilman Ring, 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

ORDINANCE #22-31 WAS ADOPTED.

A copy of resolution [#22-12-05-305](#) is appended to the official minutes

Introduction
of
Ordinances

AN ORDINANCE TO SET THE COMPENSATION OF THE MAYOR, TOWNSHIP COUNCIL MEMBERS, DEPARTMENT HEADS AND CERTAIN OTHER MUNICIPAL EMPLOYEES PURSUANT TO CHAPTER 374 OF THE PUBLIC LAWS OF 1985; N.J.S.A. 2A:809; N.J.S.A. 2A:8-13; N.J.S.A. 40A:9-165; N.J.S.A.40A:9-135; N.J.S.A. 40A:9-146, AND CHAPTER 95 OF THE PUBLIC LAWS OF 1996

Mayor Moench explained this is the annual ordinance that we do that sets the compensation for various township positions. The salary for the Mayor and Council remains the same, other employees received a 2% increase while other salaries were aligned to where they should be. For the tax assessor, we eliminated a consultant and in so doing saved the township \$15,000 by having the tax assessor perform additional work outside of his normal work hours in order to eliminate the need for a consultant. It was confirmed that this ordinance will be prepared in conjunction with the introduction of the budget in subsequent years.

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	Aye
Councilman Ring	Aye
Council President Kurdyla	Aye

THE ORDINANCE WAS INTRODUCED.

A copy of resolution [#22-12-05-306](#) 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 19th day of December, 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.

AN ORDINANCE OF THE TOWNSHIP OF BRIDGEWATER AMENDING SECTION 126-320.2 BRIDGEWATER REGIONAL CENTER ZONE

The purpose of this ordinance is to amend the Redevelopment Plan, Section 126-320.2 - Regional Center Zone to allow certain additional uses for the Bridgewater Commons Mall. Mayor Moench explained this ordinance will assist in contributing to the feasibility of the mall being profitable.

Councilman Pedroso offered the phrase “establishments for games, entertainment, and/or amusement” needed to be better defined. Mayor Moench offered if there is ambiguity in the language, same can be addressed before the next meeting but in order to not delay the mall from moving forward this year, this Ordinance should be introduced at this meeting.

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

A copy of resolution [#22-12-05-307](#) 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 19th day of December, 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.

A CAPITAL ORDINANCE PROVIDING FOR PURCHASE AND INSTALLATION OF AUDIO-VISUAL EQUIPMENT FOR THE COUNCIL CHAMBERS/COURT ROOM, BY AND IN THE TOWNSHIP OF BRIDGEWATER, IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY; APPROPRIATING \$112,879 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND TO PAY FOR THE COST THEREOF

The purpose of this ordinance is to provide for the acquisition and instillation of audio-visual equipment for the Council Chambers/Court Room by and in the Township, and shall also include all equipment, accessories, materials and work necessary therefor or incidental thereto.

It was confirmed that three (3) vendors were solicited and the one selected offered the lowest price and was the most responsive to what we requested.

On motion of Councilman Kirsh, seconded by Councilman Norgalis, 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 WAS INTRODUCED.

A copy of resolution [#22-12-05-308](#) 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 19th day of December, 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

RESOLUTION AUTHORIZING TRANSFERS BETWEEN BUDGET APPROPRIATIONS - N.J.S. 40A:4-58

After November 1st of each year, there are typical resolutions such as this in order to allow for monies to be moved from some line items to others. This does not change the overall budget.

On motion of Councilman Norgalis, seconded by Councilman Kirsh, 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 [#22-12-05-309](#) is appended to the official minutes

AUTHORIZING AN AGREEMENT BETWEEN THE TOWNSHIP OF BRIDGEWATER AND THE BRIDGEWATER-RARITAN BOARD OF EDUCATION FOR 2021-2022 HAZARDOUS BUSING IN THE AMOUNT OF \$523,808.00

Council expressed concern that the amount requested by the School Board has nearly doubled. Council agreed to table this resolution pending further investigation.

Councilman Ring made motion to table this resolution. The motion was seconded by Councilman Norgalis and carried on the following roll call vote:

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

AMENDING RESOLUTION 22-01-06-003 TO EFFECTUATE THE TRANSFER OF BUDGET APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-58 RELATED TO LEGAL AND MUNICIPAL COURT SERVICES

Mayor Moench explained resolution #22-01-06-003 is being amended in order to properly allocate monies for certain items. There will be no changes to the overall budget.

On motion of Councilman Ring, seconded by Councilman Kirsh, 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 [#22-12-05-310](#) is appended to the official minutes

AUTHORIZING THE TOWNSHIP OF BRIDGEWATER TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH THE HUNTERDON COUNTY EDUCATIONAL SERVICES COMMISSION

Mayor Moench explained this resolution allows us to enter into a Cooperative Pricing Agreement in order to take advantage of better pricing.

On motion of Councilman Norgalis, 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 [#22-12-05-311](#) is appended to the official minutes

RESOLUTION AUTHORIZING THE ISSUANCE OF A BID TO PLACE A MONUMENT DISPLAY ON A PORTION OF TOWNSHIP OWNED PROPERTY LOCATED AT 100 COMMONS WAY, BRIDGEWATER NEW JERSEY, AND IDENTIFIED AS LOT 42, BLOCK 441 OF THE BRIDGEWATER TOWNSHIP TAX MAP

Mayor Moench stated this resolution will allow us to solicit bids so as to place a monument display at the municipal township as well as make some revenue through lease of township property to display the monument.

On motion of Councilman Kirsh, 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 [#22-12-05-312](#) is appended to the official minutes

AUTHORIZING EXECUTION OF A DEVELOPER'S AGREEMENT BETWEEN THE TOWNSHIP OF BRIDGEWATER AND MAVS 1979 WASHINGTON VALLEY, LLC REGARDING ZONING BOARD APPROVALS TO PERMIT A PARKING USE ON A SPLIT-ZONED COMMERCIAL AND RESIDENTIAL LOT AND TO EXPAND A CONTINUING NONCONFORMING RESIDENTIAL USE ON BLOCK 907, LOTS 34 AND 35 (1979 WASHINGTON VALLEY ROAD)

Councilman Ring stated this work was already completed without the necessary approvals. By adopting this developer’s agreement, proper work will be done and safety concerns will be addressed.

On motion of Councilman Norgalis, 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 [#22-12-05-313](#) is appended to the official minutes

RESOLUTION AUTHORIZING EXECUTION OF A SEWER COLLECTION SERVICES AGREEMENT BETWEEN NEW JERSEY-AMERICAN WATER COMPANY, INC. AND THE TOWNSHIP OF BRIDGEWATER, HEREINAFTER THE “PARTIES”

On motion of Councilman Norgalis, seconded by Councilman Kirsh, 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 [#22-12-05-314](#) is appended to the official minutes

AUTHORIZING CHANGE ORDER #1/FINAL CHANGE ORDER INCREASING THE CONTRACT PRICE FROM \$551,839.52 TO \$573,703.59 AN INCREASE OF 3.96% OR \$21,864.07, 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 2021-5 ROADWAY IMPROVEMENT PROJECT, ENTIRE LENGTHS OF CRICKET LANE, MALLARD DRIVE, MASTAPETER ROAD, AND NORTH GASTON AVENUE (ROUTE 22 TO SOMERVILLE ROAD EXCLUDING THE ROUTE 287 OVERPASS), FUNDED THROUGH THE 2020 & 2021 CAPITAL ROAD FUND

On motion of Councilman Ring, seconded by Councilman Kirsh, 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 [#22-12-05-315](#) is appended to the official minutes

WAIVER OF CONSTRUCTION PERMIT FEES IN THE TOTAL AMOUNT OF \$680.00 (ELECTRIC \$120, PLUMBING \$320, FIRE \$240) FOR THE FINDERNE FIRE DEPARTMENT LOCATED AT 672 EAST MAIN STREET IN BRIDGEWATER FOR SUB CODE FEES ASSOCIATED WITH THE REPLACEMENT OF FOUR (4) FURNACES

On motion of Councilman Norgalis, 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	Abstain

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#22-12-05-316](#) is appended to the official minutes

Adjournment

On the motion of Councilman Norgalis, seconded by Councilman Ring, the meeting adjourned at approximately 9:00 p.m.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Allen Kurdyla
Council President