MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL MAY 4, 2023 COUNCIL CHAMBERS

The Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, convened in a regular session on Thursday, May 4, 2023 at 7:30 p.m. in Council Chambers in the Municipal Complex, Bridgewater, New Jersey 08807 & via Live Online Broadcast.

Council President Kirsh 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 10 2023, WITH WRITTEN NOTICE AND ELECTRONIC NOTICE PROVIDED TO THE COURIER NEWS AND THE BREEZE 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 Allen Kurdyla Councilman Howard V. Norgalis Councilman Filipe Pedroso Councilman Timothy Ring Council President Michael Kirsh

Also Present: Matthew C. Moench, Mayor

Michael Pappas, Township Administrator

Wells Winegar, Deputy Township Administrator

Christopher Corsini, Township Attorney

Linda J. Doyle, Township Clerk

Councilman Norgalis led the audience in the Pledge of Allegiance.

Minutes

MARCH 30, 2023 AND APRIL 20, 2023 - REGULAR SESSION

On motion of Councilman Norgalis, seconded by Councilman Ring, the March 30, 2023 and April 20, 2023 regular session minutes were moved for approval and passed unanimously on a voice call vote.

MARCH 6, AND MARCH 30 - CLOSED SESSIONS

The March 6, and March 30, 2023 closed session minutes were passed around for Council approval & signature.

Council Reports

Councilman Kurdyla

 Councilman Kurdyla reported the grand opening of the Bradley Gardens Little Loop as a fun day. • This week was the work session to award grants under the County CDBG program for nonprofits. Councilman Kurdyla confirmed the completion of the project and expressed gratitude for everyone's participation.

Councilman Norgalis:

- Received a THANK YOU note from Girl Scout Troop 60029 for allowing them to speak to us and receiving Council support for their pet project.
- Attended, at the invitation of Senior Services Coordinator Jennifer Osterberg, the monthly hour-long Cooking Class at the Senior Center. That day, Councilman Norgalis stated he was treated to the live creation of Judy and Jennifer's Crustless Broccoli and Spinach Quiche. He added it was a fun chance to see one of their many projects in action.
- Participated with the Bridgewater's Woman's Club in Training at the Patriot Stadium to sell food products at the Concession Stand with a portion of the proceeds going toward the Club's scholarship/donation program. Training included safety awareness, proper food handling and processing of receipts. The Women's Club (including himself and two other men) will take part during three baseball games in May, June and July.
- Congratulated Alex Fischer, our Deputy Township Attorney in successfully defending the town at the Appellate Court hearing in our suite against "Rise Against Hate". That organization sought to obtain the email addresses of all residents who subscribed to the township's alert system. The Mayor and Council were strident in opposing this overreach where our residents would be inundated by unsolicited communication by this group. The Appellate ruling in our favor was 3 to 0.
- Attended a luncheon with Patrick Delaney, the recently appointed Chief Administrative Officer for the RWJ Somerset Hospital. Mr. Delaney hosted a group to talk about the new construction at their location in Somerville and their other plans for the future.
- Attended the Open Public Meeting Act, AKA OPRA annual training given by our township legal folks

Councilman Pedroso:

 Councilman Pedroso stated a resident shared in an email a positive experience they had with the sewer department. The incident occurred in the county's basement and when the resident called the township, someone arrived within 15 minutes. The facility staff displayed care, professionalism, and helpfulness throughout the process. Despite encountering multiple obstacles, the staff persisted and successfully troubleshooted the issues, demonstrating determination and grit. Councilman Pedroso expressed gratitude for the excellent service and commended the individuals involved in the job and thanked them for their professionalism and service.

Councilman Ring:

- Attended the Bradley Gardens Baseball annual Opening Day. The Bradley Gardens Baseball program is one of the oldest in Bridgewater and this year is experiencing some of the highest number of players in their history. Councilman Ring wished all of the teams the bet of luck this year.
- iCode, a STEM program based on Prince Rogers Avenue, celebrated their grand opening with a ribbon cutting ceremony. Bridgewater resident Kalash Keote operates this K-12 Computer Science Education center. Councilman Ring attended the ceremony and wished them a long and prosperous time in Bridgewater.
- Participated in the Earth Day program on Chimney Rock Park where over 100 volunteers came together to help plant flowers and place mulch throughout the park. Councilman Ring thanked all of the volunteers, as well as Richard Shimp and his Public Works team for their efforts to make this event a success. He also thanked the businesses that supported this event including Gabriel's Fountain, Nature at Heart School and Lifetime.
- With regard to land use matters, Councilman Ring reported that Signature Acquisition had previously verbally notified us of their intent to withdraw their application for two warehouses on Route 22 East. They are now advising that they need more time to make a decision moving forward. They are scheduled on the May 9th Zoning Board agenda but it is anticipated that their application will be carried to May 23rd.
- The Planning Board has been busy with several applications. Last week, the Board heard a continuation of the M&M manufacturing application, with most time spent on traffic related concerns. It was also announced at that meeting that the previously submitted Target application has been formally withdrawn by the applicant.
- Earlier this week, the Planning Board had a special meeting, which was added to help with the number of applications pending. GCP, which is the conversion of the Hyatt House to apartments, including 40 COAH rental units was heard. There was significant discussion about parking. The

application was approved with a stipulation that the town has the ability to require additional parking to be added at a later date, if needed. The Planning Board also heard a two lot sub-division application that night, which included significant discussion on stormwater management. The remainder of that application has been carried to another special meeting on June 13.

- The Planning Board is scheduled to hear the Center of Excellence (COE) application on May 16, 2023.
- Somerset County formally announced their intent to move forward with a process that should lead to the closure of the Somerset County Jail in Somerville later this year. When our Police Department transports someone under arrest to jail, it requires two police officers. The time involved in these officers transporting a person from Bridgewater to the jail in Somerville, is much less than the time it will take to transport to another jail in another County. As Somerset County moves forward with this process, Councilman Ring stated he hoped that the County will come up with a process that does not create an added burden on our Police Department and the taxpayers of Bridgewater.

Council President Kirsh

- Attended the Opening Day for the Bradley Gardens Little Loop.
- Attended the grand opening for iCode Bridgewater. Council President Kurdyla wished them much success in Bridgewater.
- Council President Kirsh advised that in June, the Council will be meeting on the 8th and the 22nd, which is a slight deviation from our typical 1st and 3rd Thursdays.
- Council President Kirsh advised the members of the public that were in attendance that item 9b concerning the monument will be carried to June 22nd. This is because Planning Board action is required in advance of the Council taking action. The planning board is scheduled at this point for that action on June 13th. The next Council meeting after June 13th is June 22nd.

Mayor's Reports

Mayor Matthew C. Moench

• The Pellegrino family hosted a tour of the Avalon facility. Mayor Moench expressed gratitude to the Pellegrino family for hosting Administrator Pappas and himself. Mayor Moench mentioned that the facility was recently renovated, and they had the opportunity to meet Jessica, Don

Pellegrino's daughter, who deals with all Bridgewater residents. She gave them a tour of the facility and explained the services provided.

- Mayor Moench stated the AV system in the meeting room is set to be replaced within the next month. He added the audio system that has been problematic will be replaced and that a higher definition camera will be installed.
- Administration has been working on updating the Master Plan which is currently being reviewed with the professional staff. The plan will be made available to the public for review online, with a comment box provided for feedback. Administration will also hold public sessions to gather information from residents on their concerns and take suggestions. A subcommittee consisting of members from the Planning Board, Zoning Board, Council, and administrative staff will review initial recommendations and public feedback. Administration hopes to present a red-lined document with proposed changes in the fall, and the public will have multiple opportunities to provide input. More information will soon be forthcoming.

Presentation STORMWATER MANAGEMENT

Township Administrator gave a brief update on behalf of Township Engineer William Burr:

Administrator Pappas addressed the topic of audits being conducted by the EPA (Environmental Protection Agency) in conjunction with the DEP (Department of Environmental Protection) regarding stormwater management programs in various municipalities, including Bridgewater. He stated that Richard Shimp and William Burr have been involved in meetings with the EPA and DEP and participated in multiple site visits throughout the township. Administrator Pappas noted there will be more detailed information to report at a later time, he wanted to ensure that the Council was aware of these activities.

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 Kurdyla, the meeting was opened to the public for comment.

Cathy Franco, 766 Weimack Road

 Ms. Franco expressed confusion and concern regarding the absence of a presentation on stormwater management by William Burr, Township Engineer noting it would have been very timely, especially considering the storm we had earlier this week. She emphasized that stormwater management has been a long-standing issue for both herself and many residents in the community. Ms. Franco highlighted an incident over the weekend where they encountered significant water runoff from Martinsville, resulting in six to eight inches of water at the bottom of Route 22, stretching from Vosseller to Thompson Avenue. She expressed hope that Mr. Burr, along with Township Planner Doyle are diligently working on addressing these issues and implementing measures to capture and retain water.

Jennifer Loughran, 716 Falcon Court

- Ms. Loughran stated the Earth Day event was spectacularly successful, with a high turnout of families, children, and community members. Various activities such as flower planting, art projects, and enjoying ice cream took place at the park. She expressed gratitude to everyone involved in organizing the event and specifically acknowledged Ted, an employee of the Department of Public Works, who contributed significantly to its success. Despite being on his day off, Ted played a crucial role in setting up the event, providing necessary supplies such as dirt, mulch, and tables. The Parks Department and the Department of Public Works were appreciated for their efforts.
- Councilman Kirsh took the opportunity to thank Ms. Loughran for her efforts in leading such a successful and memorable event.

Resident, Spring Run lane

- A resident raised concern regarding wastewater management and inquired whether any action would be taken to address the issue. They live on Spring Run Lane and often experience runoff from Washington Valley Road.
- Mayor Moench explained we are actively addressing wastewater management through Master Plan review and the initiation of a universal drainage assessment program. These efforts aim to proactively address drainage issues and avoid reactive responses. Mayor Moench highlighted the challenge of localized projects and the need for a long-term plan due to financial considerations. He mentioned the recent funding received for the repair of Washington Valley Road, which involved a collapsed tributary affecting a few residents. The mayor emphasized the municipality's commitment to finding solutions and avoiding road damage caused by water. He acknowledged the significance of the Spring Run issue and stated that drainage is considered during road projects.

- Mayor Moench further confirmed that if Mr. Burr were present, he would provide more technical details and not the specific concerns raised by the resident regarding addressing drainage.
- Mr. Pappas offered that the EPA conducts regular audits in municipalities across the Country, and Bridgewater is among the communities undergoing this process.
- Councilman Ring supplemented the discussion by reminding the public that during the previous Council meeting, an Ordinance change was approved concerning Floodplain Requirements. The changes were based on a state model template and involved significant updates to the Township Ordinance related to Flood Hazard Maps and the Floodplain Administrator. He emphasized that this was one component of a larger effort, and additional actions had been taken or were in progress, in line with the mayor's earlier comments.

Patty Selikoff, 16 Gibson Terrace, Bridgewater, New Jersey

- Ms. Selikoff addressed availability of recordings for public access noting
 that during their campaign four years ago, they emphasized the
 importance of making recordings of Council, Planning Board, and Zoning
 Board meetings accessible to the public. This would allow individuals who
 are unable to attend these meetings, such as parents with children or
 those with time constraints, to stay informed about township matters.
 She proposed that the recordings be made available online, possibly by
 creating a township page on YouTube.
- Ms. Selikoff asked that the Council reconsider the absence of hazardous busing in the budget noting she had contacted the School Superintendent and found that out of the 7,100 registered students, 450 were walkers. This meant that approximately 1,200 students in Bridgewater would be traveling to school under unsafe conditions. Ms. Selikoff emphasized that certain areas within the town lacked sidewalks, making hazardous busing necessary for the safety of these students.
- Council President Kirsh provided a response to the concerns raised noting that a budget discussion would indeed take place, with a full hearing scheduled in a couple of weeks. He however emphasized that the direction the Council and Administration are taking is that the Board of Education is responsible for the transportation of students. This year and in the future, it is expected that the Board of Education will handle student transportation without any subsidy from the Governing Body.

Councilman Kirsh noted that when the Board of Education was constructing its budget, they should have been aware of this expectation from the outset. To illustrate the situation, he provided an analogy: The school district handles student transportation, while the municipality manages municipal roads. Asking the school district to pave a road within or near its property would not be appropriate; instead, the responsibility would lie with the township.

- Mayor Moench shared his perspective on the matter. He stated School District should be responsible for hazardous busing noting that by entrusting this task to the school district, it ensures that costs are managed appropriately and prevents the possibility of inflating bills for non-essential expenses. The school district can determine the most suitable and cost-effective approach to busing, considering various factors involved. The taxpayers can have confidence that the hazardous busing bill is not being utilized as a means to subsidize unrelated expenses. Mayor Moench highlighted the complexity of determining which students actually utilize hazardous busing, as many entitled students may not utilize it due to alternative transportation methods used by families residing within the area. This lack of data makes it challenging to accurately assess the number of students on the bus. Considering these factors, he emphasized that the current approach is more efficient and straightforward. The school district will receive the necessary funds for transportation costs, enabling them to make policy decisions and appropriately fund the transportation needs of their students.
- Councilman Pedroso stated agreed the School District should manage hazardous busing, deal with the transportation department and with the contracts.

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

Public Hearing & Final Action Ordinances

CALENDAR YEAR 2023 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

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

No one wished to be heard.

On motion of Councilman Norgalis, seconded by Councilman Kurdyla, the public

comment portion was closed.

Township Administrator Pappas explained this is an exercise that each governing body undertakes each budget year. The Cap bank Ordinance enables the municipality to bank for an additional amount that they may or may not choose to utilize.

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

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

ORDINANCE #23-09 WAS ADOPTED.

A copy of resolution #23-05-04-148 is appended to the official minutes

Introduction of Ordinances

AN ORDINANCE CREATING A NEW CHAPTER 30 OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER ENTITLED "EMERGENCY MEDICAL SERVICES ADVISORY COMMITTEE" FOR THE PURPOSES OF CREATING SAID COMMITTEE

Mayor Moench commended Councilman Ring on the work that he's done on this ordinance.

Councilman Ring expressed his appreciation for Wells Winegar, Deputy Township Administrator, for his efforts in developing the ordinance. He highlighted that the governing body has had a contract for daytime ambulance service as a backup to volunteers through a shared services agreement with other towns for more than 20 years. Previously, a vendor managed this relationship and charged an annual fee. However, last year, during the process of bidding for a new contract, it was decided that taxpayers should not bear the cost of this service provided by a third-party vendor. Instead, the governing body would handle it internally. Part of the discussion involved establishing a committee to oversee the contract's performance and plan for the future.

The current state of Emergency Medical Services (EMS) is challenging, facing a shortage of EMTs, similar to the broader healthcare industry. Volunteer community-based organizations are increasingly being called upon to respond to calls that hospitals lack the resources to handle. The committee's role is to explore ways to support EMS moving forward.

Councilman Ring acknowledged that there have been comments regarding the composition of the committee, emphasizing that EMS plays a significant role in the community. Therefore, it was crucial to include representation from various sectors, which explains the breakdown of membership in the ordinance.

Councilman Ring highlighted that Deputy Administrator Winegar led the drafting of the ordinance, which was shared with the EMS leadership in Bridgewater for their input prior to its presentation.

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

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

THE ORDINANCE WAS INTRODUCED.

A copy of resolution #23-05-04-149 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 18th day of May, 2023, 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 SUBMISSION OF THE FISCAL YEAR 2023-24 BRIDGEWATER/RARITAN MUNICIPAL ALLIANCE REQUEST FOR APPLICATION WITH SOMERSET COUNTY BOARD OF COUNTY COMMISSIONERS IN THE AMOUNT OF \$22,575.36

Township Administrator Pappas stated this is an annual submission and he expects a successful outcome.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution #23-05-04-150 is appended to the official minutes

AUTHORIZING AN AWARD OF CONTRACT TO ROUND HILL RISK PARTNERS, LLC OF 788 MORRIS TURNPIKE, SUITE 101, SHORT HILLS, NJ 07078 FOR TRANSITIONAL SERVICES RELATED TO THE TOWNSHIP'S TRANSITION TO THE STATE HEALTH BENEFITS PLAN AS AN ADJUNCT RISK MANAGEMENT SERVICES FOR HEALTH INSURANCE FOR A TERM OF ONE YEAR COMMENCING ON JANUARY 1, 2023 PURSUANT TO THE FAIR AND OPEN PROCESS AS DEFINED BY N.J.S.A. 19:44A-20.7 TO BE COMPENSATED IN AN AMOUNT NOT TO EXCEED \$290,000.00

Township Administrator Pappas explained that when the township faced significant increases in medical insurance costs, Round Hill Risk Manager explored various options. The most cost-effective solution that would significantly reduce the increases was the state health benefits plan. This transition required assistance for several hundred employees and approximately 150 retirees during the enrollment process. Many individuals needed significant support during this transition, including staff dedicating considerable time to provide assistance. The assistance extended to home visits for retirees, ensuring a smooth transition to the new system. Earlier this year, the township also underwent a transition to a different prescription plan, which required additional enrollment.

Councilman Norgalis expressed his support for compensating Round Hill, acknowledging the complexity of the move and the extensive support they provided. While he prefers having a clear understanding of costs, he recognized the estimates provided and will support the compensation. He expressed hope for more dynamic components in future bill presentations.

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

Councilman Kurdyla Aye
Councilman Norgalis Aye

Councilman Pedroso Aye
Councilman Ring Aye
Council President Kirsh Aye

THE RESOLUTION WAS ADOPTED.

A copy of resolution #23-05-04-151 is appended to the official minutes

AWARD OF CONTRACT FOR PROFESSIONAL ARCHITECTURAL SERVICES FOR THE SENIOR CENTER IMPROVEMENT PROJECT TO SETTEMBRINO ARCHITECTS, 37 EAST WASHINGTON AVENUE, ATLANTIC HIGHLANDS, NJ 07716, IN THE AMOUNT OF \$21,500.00, FUNDED THROUGH THE 2022 SENIOR CENTER IMPROVEMENTS FUND

Mayor Moench recused himself.

Township Administrator Pappas stated we were fortunate to apply for and receive a grant of approximately \$350,000 to make improvements to the senior center. Councilman Norgalis stated he visited the senior center and took a tour. Being the mechanic that he is, he noticed a number of improvements beyond what is covered here that he noted would need to be made. It was confirmed that those and others provided by other members will all be addressed.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution #23-05-04-152 is appended to the official minutes

AUTHORIZING AN AWARD OF CONTRACT TO APPRAISAL SYSTEMS, INC. TO PERFORM PROFESSIONAL APPRAISAL INSPECTIONS AND RELATED SERVICES IN CONNECTION WITH THE TOWNSHIP REASSESSMENT PROGRAM FOR 2023 IN AN AMOUNT NOT TO EXCEED \$72,985.50

Councilman Norgalis explained that the assessment process involves visiting 20% of the residents each year. This approach ensures that over a five-year program, every house will be visited. Even if a house is not physically visited, its value is reassessed based on the neighborhood. Every house is evaluated through personal inspections or by comparing it to the community.

Councilman Ring emphasized that if someone files a tax appeal and successfully receives a reduction in their taxes, the township does not receive that refunded money from the school board or fire district. The township continues to pay taxes based on the old assessment while the homeowner benefits from the reduced assessment. Therefore, it is crucial to maintain accurate and up-to-date assessments to ensure fairness in the tax system.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution #23-05-04-153 is appended to the official minutes

AUTHORIZING AN AMENDMENT OF AN AGREEMENT WITH NATURE'S CHOICE CORPORATION FOR YARD WASTE RECYCLING ON PROPERTY LOCATED AT FOOTHILL ROAD AS A YARD WASTE SITE (The 'Property")

Township Administrator Pappas stated that the amendment is in response to an incident that occurred. Township Attorney Savo and Mr. Genova had a conversation with the operator regarding compliance issues to ensure the township's interests are safeguarded.

Councilman Kurdyla raised the topic of site requirements and suggested discussing with Nature's Choice the possibility of installing a hydrant on Chimney Rock Road, closer to the site. He emphasized that dealing with mulch fires is a complex task, and having a more accessible hydrant would greatly assist the local fire department in responding to incidents at this location.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution #23-05-04-154 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 litigation and contract negotiations.

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 Ring, Council convened in closed session at approximately 8:35 p.m.

A copy of resolution #23-05-04-155 is appended to the official minutes.

On the motion of Councilman Norgalis, seconded by Councilman Ring, the meeting reconvened to open session at approximately 8:35 p.m. and adjourned immediately thereafter.

Respectfully Submitted,

Linda J. Doyle, RMC Municipal Clerk

Michael Kirsh Council President