

**MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
AUGUST 17, 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, August 17, 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 (absent)
Councilman Howard V. Norgalis
Councilman Filipe Pedroso
Councilman Timothy Ring
Council President Michael Kirsh

Also Present: Michael Pappas, Township Administrator
Christopher Corsini, Township Attorney
Grace Njuguna, Deputy Township Clerk

Councilman Norgalis led the audience in the Pledge of Allegiance.

Minutes

JULY 20, 2023 - REGULAR SESSION

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

JULY 20, 2023 - CLOSED SESSIONS

The July 20, 2023, closed session minutes were passed around for Council approval & signature.

Council Reports

Councilman Norgalis:

- Worked as a volunteer at a Ball Park food concession in support of the Bridgewater Women's Club. A portion of the proceeds are going toward the two dozen charities that the club supports. Councilman Norgalis' specialty at the concession was making lemonade and popcorn. It was a

day that the Yankee Farm team played the Patriots so it was a sold-out crowd of over 5000.

- Will be visiting the Bridgewater Senior Center at the invitation of Jennifer Osterberg for their National Senior Citizens Recognition Day. Councilman Norgalis stated he looks forward to a fun time at their luau.
- Received an invitation from the Hindu Temple and Cultural Center to visit the Temple in recognition of their Landmark re-dedication which occurs every 12 years. This is the third re-dedication of the Bridgewater Temple and will be celebrated from August 23 through August 28.
- Received a hand-delivered letter from Ann Zielinski of 50 Ash Street regarding speeding on Allen Road. Councilman Norgalis stated he referred this letter to Mr. Pappas for police follow-up.

Councilman Pedroso:

- Wished everyone, including teachers, faculty, staff, and parents a great and successful school year.

Councilman Ring:

- The Master Plan subcommittee has continued to meet regarding updates to the Master Plan. As we get further along with the Master Plan, there is thought to hold in-person sessions for feedback on certain key areas.
- The Planning Board met earlier this week to discuss the street naming ordinance which was passed narrowly by one vote.
- The Zoning Board meeting on September 22nd will be a little bit different. The hearing will be an appeal of the Zoning Officer's decision to what is known as the Somerville Lumber property. There is question whether that was a primary retail establishment with accessory use of a warehouse or a primary warehouse with the accessory of retail.
- Received an invitation from the Hindu Temple and Cultural Center to attend their rededication ceremony.
- This coming Saturday is the 100th anniversary celebration of the Martinsville, Fire Department at Crim Park.

Council President Kirsh

- Tonight's council meeting is the initial meeting that we are broadcasting via YouTube. Moving forward, Council meetings be available to be viewed

both live and after the fact on YouTube. This is an up growth of the update we made by upgrading our audio and visual system.

- We met in a special meeting last Wednesday to cover a unique circumstance related to a cellular facility both at the Bridgewater Highschool site and at 100 Commons Way. President Kirsh expressed appreciation for all that put that meeting together on short notice including Wells Winegar, Deputy Township Administrator, Alex Fisher, Deputy Township Attorney, William Burr, Township Engineer and Verizon representatives. It was good night overall with a very positive resolve.
- Attended the 4-H fair. Although the crowd was lighter, the overall event continues to be a Somerset County classic.
- Since our last meeting, there has been a lot of work concerning the short-term rental ordinance; we will have some interaction on that as the meeting goes on.
- Acknowledged the reason why Councilman Kurdyla is not at this meeting is because he had to attend a critical meeting of the Fireman's Relief Association where he is the chairman.

Mayor's Reports

Michael Pappas, Township Administrator reported on behalf of Mayor Moench

- The Township Council, a number of months ago, authorized the purchase of equipment for Harry Ally Park and Alfred Brown Park and those pieces of equipment are finally being installed. Administration hopes to soon schedule a ribbon cutting ceremony.
- The township is embarking on a couple of Master Plan reviews. The council, a number of months ago, authorized a contract with CME, an engineering firm which has been engaged to assist us in the review of the Open Space and Recreation Master Plan. They have recently become involved with meeting with staff on a number of occasions and will have a series of meetings with various boards including the Recreation Board, Park Board and Open Space committee as they gather perspective and information. This will be followed by a very rigorous period of time where there will be public engagement both in person as well as remote. More information will soon be forthcoming.
- The Land use Master plan is also beginning a new process. Mayor Moench has launched a series of public information sessions each Monday where there will be communication issued from the township to give residents perspective on what a Master Plan is, its various components, and how it

affects our community. This initiative commenced last Monday and will continue for a number of months.

Proclamation INDIAN INDEPENDENCE DAY

Council President Michael Kirsh read the following proclamation:

WHEREAS, on August 15, 1947, India gained its independence from the British Empire; and,

WHEREAS, the Indian Independence Act of 1947 was approved by the British Parliament; which allowed the Constituent Assembly of India to write the Constitution of India, marking the beginning of India's independence after many years of British rule; and

WHEREAS, the Indian independence movement was led by Mahatma Gandhi, Jawaharlal Nehru, and Sardar Patel, and through their message of nonviolence and civil disobedience, they inspired civil rights leaders from around the world; and

WHEREAS, India's Independence Day is one of India's three national holidays and is celebrated by 1.3 billion people across India with flag-hoisting ceremonies, kite-flying, and parades; and

WHEREAS, diversity is one of Bridgewater's greatest strengths, and Bridgewater is proud to be home to a large Indian-American population who contribute greatly to the social, economic, and civic health of the Township; and

WHEREAS, the Township of Bridgewater joins with our Indian-American community in celebrating India's independence;

NOW, THEREFORE, BE IT RESOLVED, Matthew C, Moench and the Bridgewater Township Council do hereby recognize August 15, 2023, as the 77th INDIAN INDEPENDENCE DAY in our TOWNSHIP OF BRIDGEWATER, and I call this to the attention of all our residents.

Members of the Hindu Temple were present to receive the proclamation.

Presentation BRHS- Students

Students Vithika, Meera, Simran were present to make a presentation regarding Advocacy for Teen Sleep as follows:

Cause - With the busy schedules of high school students today, lack of sleep has become a common problem. Shockingly, over 80% of teenagers fail to get the

recommended amount of rest, leading to significant implications for their driving skills. When inexperienced and sleep-deprived teens take the wheel, they put themselves and others at risk of the dangerous consequences of drowsy driving. The main goal of Prioritize Teen Sleep is to spread awareness about this often-neglected issue.

Goals - To partner with local insurance companies, the Board of Education, specialists in sleep medicine and neurology, and neighboring schools. To hold presentations at schools to discuss this issue, publish articles and newsletters, put up banners in school parking lots, and compile resources on how students can fight sleep deprivation and drowsy driving.

Three Phase Initiative:

1. Create awareness: Working to put out a series of joint articles discussing the issue with important figures in our community including the mayor, law enforcement, and local parent groups.
2. Provide Resources: Partner with local healthcare professionals to gain a clinical perspective and learn more about the health implications of this issue. Also working to create informational pamphlets, self-help tools, and posters to be available and prominently displayed public facilities such as the DMV and our schools.
3. Tangible Changes: Their pledge page is the best way to show support for this cause. They have created a social media page to serve as a platform to connect with a greater scope of students and put out daily facts and updates about their initiative. They also hope to be able to hold presentations at their schools with the help of authorities such as law enforcement to share their experiences and warnings about the real implications of Sleep Deprivation and how it translates to driving.

Council commended the students for this great initiative and wished them well moving forward.

4H- Members

This presentation will be held at a future Council meeting.

**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 Ring, the meeting was opened to the public for comment.

Cathy Franco, 766 Weemac Road, Bridgewater, NJ 08807

Ms. Franco acknowledged the high school students for a job well done.

Regarding the 2-minute time limit for public comment, Ms. Franco asked that Council revisit this rule noting other public forums offer 5-minute time limits.

The library was closed last week due to failure of the HVAC system. Ms. Franco stated that in March of 2020, the Council approved a resolution to authorize the submission of a grant to replace the HVAC system. Apparently, this match was not granted. Ms. Franco expressed she was disappointed that we did not receive the grant and nothing was done after that. With regard to item 12c, Ms. Franco hoped the SRO agreement, should the resolution be approved, will be shared with the general public.

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

Township Administrator Pappas explained the township applied for the grant for two consecutive years. We were unsuccessful and since then have been determining the cost estimates that are necessary to at some point come back to this council for funding. Administrator Pappas further explained this matter has not been ignored but that the HVAC system is complex and finding the right vendor to access and make appropriate repairs has been challenging.

**Public
Hearing &
Final Action
Ordinances**

AN ORDINANCE TO ESTABLISH CHAPTER 152 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF BRIDGEWATER ENTITLED “SHORT-TERM RENTALS” (Version I) - TO BE REINTRODUCED

It was confirmed this Ordinance went through a number of changes since the last Council meeting and that if those changes are substantial, council is required by law to reintroduce the Ordinance. We cannot modify what was introduced but rather, Council has to reintroduce.

The items that were included in the revision are as follows:

- Redefined a short-term rental as up to 28-days
- A curve out was placed for short term rentals that are closely associated with real estate transactions
- A curve out was placed for instances where owner occupied property is rented out
- Consideration of short-term rental registration with the township
- An annual fee with the township for short term rentals
- An inspection with the township including a working smoke detector, working carbon monoxide detector in each sleeping room and if there are cooking facilities, appropriate fire extinguishers.

Township Administrator Pappas explained that staff has been meeting on this issue on a regular basis, has conducted a number of inspections and met with the property owners' numerous times. Administrator Pappas offered these actions seemed to have solved the issues that were brought to the Council. Administration will continue to keep the Council advised.

President Kirsh stated it is the Council's desire to present an Ordinance that prevents bad behavior, such as a party house operating in the midst of a residential zone while at the same time providing necessary flexibility for legitimate circumstances where an individual may need a short-term housing condition.

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

Carolyn Sullivan, 19 Gateshead Drive, Bridgewater, NJ 08807

Concerned that Ordinance 11a was giving an owner occupied dwelling the right to turn a single-family house into a multi-family home using short-term rentals. It was explained that this Ordinance is a work in progress and will be amended to make it clear that while rentals can have more than one bedroom, owner occupied rentals are limited to one rental per unit. Furthermore, at no time should an owner-occupied rental have more than one renter.

Ashish Joshi, 1067 Buxton Road, Bridgewater, NJ 08807

Requested that the Ordinance include language that prevents residents from putting an illegal bedroom in their basement with a stove and refrigerator and making it an illegal apartment. It was explained that there are mechanisms that enforce this act. When such matters are brought to our attention, the township will then engage with those residents and either site them or give them an opportunity to rectify.

Neil Curry, 1385 Washington Valley Road, Bridgewater, NJ 08807

Offered he is in favor of regulating short-term rentals adding they should be licensed just as hotels are licensed. He added that hundreds of stays are generally professional families or individuals who come to meet with loved ones, do business, attend weddings, participate in workshops, and other reasons. Canceling them would be harmful to local restaurants, fast food chains, malls, supermarkets, car rentals, gas stations, taxis, convenience stores, entertainment venues, and others. If properly regulated, the growth of short-term rentals in residential areas is beneficial and it should be welcomed. With regard to public disturbances, Bridgewater Police are the best in the state as they have built a reputation for timely, tough, and effective action which is one of the best ways to deter future problems.

With regard to length of stay, 28 days would not cause a problem that the 31-day minimum causes adding the 31-day minimum on proposed Ordinance would make it very difficult for a landlord to evict; it complicates the eviction process and is costly.

With regard to penalties, the maximum penalty for petty disturbances in Bridgewater is jail time and \$500 which makes \$2,000 per day excessive.

Mr. Curry offered it would be beneficial to define minimal health and safety standards for short-term rentals and the process for the licensing or the registration of same.

Mr. Curry further offered it would be wise to grandfather in rental contracts that have already been established. It was noted this is already in Version III of the Ordinance “The provisions of this chapter shall not apply retroactively to any rental arrangement made prior to its adoption”.

Anthony Wagar, 14 Gateshead Drive, Bridgewater, NJ

Made suggestions to change the Ordinance as proposed:

Include “unit” versus “units” and also include the reference to “otherwise lawful occupancy of a dwelling unit”, not just a unit.

Nanette Mantell, 13 Gateshead Drive, Bridgewater, NJ

Offered the Ordinance as proposed is ambiguous in its definitions and should be revised.

Fran Katz, 9 Tunison Lane, Bridgewater, NJ

Stated she is the owner of New Jersey Short Term Rentals, a local corporate housing company that has been in operation since 2008. They have serviced over 3,000 guests including corporate executives, international business associates, professionals relocating to the area, homeowners who have had fires, floods and home renovations, and others who are in between house closings.

She explained the typical profile of a short-term renter and the importance of safe, comfortable, furnished rentals and how they service the community.

Ms. Katz explained the average length of stay is about four months. They support many companies in the area to house their employees who come to New Jersey for short term training and job assignments. Many of them are repeat clients. Some bring in trainees for two weeks at a time.

Ms. Katz further explained that both large and small companies have needs for short term housing. Many professionals who reside in short term rentals go on to buy homes in the area; her company has referred clients to local realtors and helped realtors salvage their deals by providing comfortable stays for guests in between housing and house closings.

Some families need larger rentals or a single-family home. Ms. Katz offered she was hopeful that the proposed ordinance is going to address someone renting an entire house noting there is need for large homes, especially with so many people working from home remotely.

Ms. Katz stated her company has also housed construction employees who bring professionals to work on buildings and infrastructure in the area. For example, RPC contractors stayed with them for 19 months to help build Miller's Ale House.

Ms. Katz asked the 30-day minimum stay be reviewed because the typical party goer usually looks for a one or two-night stay and as such, a 28-day minimum requirement is not needed. While Airbnb's have tainted short term rentals in many ways, in the 15 years she has been in this business, Ms. Katz stated they have rarely had to call the police on their rentals. Her clients are corporate clients and families which do not bring excessive noise to the rentals.

Phil Piro, 1 Gateshead Drive, Bridgewater, NJ 08807

Discussed the negative effect of short-term rentals as follows:

- Transient people coming and going at three and four o'clock in the morning. This becomes a concern for safety issues including burglary and theft.
- There are people in the neighborhood that are not commonly there. Ms. Piro explained he has small children that play on the front lawn and that they often experience cars flying up and down the street at 40 and 50 miles an hour, which creates a hazard.
- There is frequent police activity.
- There are things being stored in driveways for long periods of time.
- There are trucks with car carriers that park on the street overnight for multiple nights in a row.

Mr. Piro asked that Council consider these items in their review of regulations for short term rentals.

Tom Lee, Bedminster, NJ

Mr. Lee stated he has been doing short term rentals since 2015 with a couple of siblings. Their guests come to Bridgewater from all over the country and from other parts of the world. There are many reasons that require stays of less than 30 or 28 days. Some of these include visiting family, attending weddings, staying

nearby when loved ones are in hospital, going through various life events, work projects, corporate housing, internships, staying their regular home is under construction or repair etc. One of the things that guests are often looking for is a secure private environment, either for themselves or for their families.

When guests stay in their apartments, they bring business to the town as they eat, shop, and do business here. They have had minimal incidents of any problematic guests and yet the vast majority are very quiet and respectful of their neighbors. Their policy has always specified that there are no parties or events to be held in these properties. They also limit the number of guests. These restrictions are posted online and in their compendiums. Quiet hours are also posted on placards by the front entrance. The adherence to these policies has been excellent.

If this ordinance is put into place, they will effectively lose their business and the many years of hard work they have put into it. They will have to cancel numerous of existing reservations, potentially forcing guests to look for accommodations in other towns. In addition, they would have to continue paying on some of their leases.

Mr. Lee urged Council to reconsider their position. At a minimum, he requested a clause that would honor the reservations that have already been made and also provide them with the time needed to allow their current leases to terminate. Mr. Lee was advised this has been included in proposed Ordinance.

Hellen Falone, 22 Gateshead Drive, Bridgewater, NJ 08807

Ms. Falone stated this new ordinance allowing rental apartments within a single-family dwelling is unprecedented in this State. Many towns are outlawing Airbnb-type rentals altogether as there is no control as to the number of families, number of people, or safety and sanitary conditions in these unregulated for-profit rentals. She added that State and nationwide, towns are outlawing unregulated apartments or rooms, as many are unsafe and illegal. Airbnb is losing legal battles in New Jersey and nationwide and the idea of having overnight apartment rentals, mostly unregulated is not being allowed. If the use of a single-family dwelling allows multiple families to reside, the zone and allowed uses become a multifamily use regardless of residency. Ms. Falone offered the foundation of uses and zoning in Bridgewater is under attack.

Michael Conrad Jr, 20 Gateshead Drive, Bridgewater, NJ 08807

Mr. Conrad stated he lives directly across from the Airbnb on Gateshead. He asked the Council to only consider owner-occupied one-bedroom, with a 28 or 30-day minimum stay. Owner occupied homes with a four-bedroom house with

three bedrooms that are rented to two individuals puts a total of eight residents in a home which then leads to parking, sewer, debris issues.

Cynthia Freund, 1367 Coriell Drive, Bridgewater, NJ 08807

Shared her experiences with her Airbnb noting she rents out one room in her house, and that tenants are not tenants, they're guests. They use one bedroom and one bathroom. Sometimes they stay a long time, maybe 30 days. Sometimes they just stay Monday through Friday, and then they leave. Most of the time they have been scientists at many of the pharma companies in our area. Occasionally they have been procurement or supply chain managers. None of them have been partiers. None of them have had a negative impact on our community.

Lori Colelli, 24 Gateshead Drive, Bridgewater, NJ 08807

Expressed concern over short term rentals indicating issues with burdening the police, emergency vehicles, emergency services adding they should not be permitted to operate in residential areas.

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

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

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

**Introduction
of
Ordinances**

AN ORDINANCE TO ESTABLISH CHAPTER 152 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF BRIDGEWATER ENTITLED "SHORT-TERM RENTALS" (Version III)

Following an extensive discussion, Township Attorney Corsini advised Council to table this Ordinance to allow for additional review and revisions.

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

Councilman Kurdyla	Absent
Councilman Norgalis	Aye
Councilman Pedroso	Aye
Councilman Ring	Aye

Council President Kirsh Aye

Resolutions

AWARD OF CONTRACT TO NORTHERN RED TRAINING, 1000 WOODBRIDGE CENTER, WOODBRIDGE, NJ IN THE AMOUNT OF \$22,125.00 FOR PROPRIETARY EMERGENCY RESPONSE ACTIVE SHOOTER SITUATION TRAINING FOR 59 POLICE OFFICERS TO BE HELD AT CAMP CROMWELL TO BE FUNDED FROM POLICE BUDGET (PROFESSIONAL DEVELOPMENT)

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#23-08-17-240](#) is appended to the official minutes

AUTHORIZING THE TOWNSHIP OF BRIDGEWATER TO EXECUTE A SHARED COST SERVICES THREE-YEAR AGREEMENT WITH THE COUNTY OF SOMERSET FOR COMMUNITY POLICE ALLIANCE COORDINATOR. SOMERSET COUNTY WILL BE THE LEAD AGENT. BRIDGEWATER WILL REIMBURSE SOMERSET COUNTY FOR \$31,250 IN YEAR ONE, \$43,750 IN YEAR TWO AND \$56,250 IN YEAR THREE.

Township Administrator Pappas explained the township was identified as a pilot for this county program a couple of years ago, and the county has requested some financial support.

Police Chief Mitzak explained Mr. Stackhouse is the one assigned the responsibility by the County to respond to any types of psychiatric issues for days after the police responded to a call for service.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#23-08-17-241](#) is appended to the official minutes

AUTHORIZING THE TOWNSHIP OF BRIDGEWATER TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE BRIDGEWATER TOWNSHIP SUPERIOR OFFICERS' ASSOCIATION THROUGH DECEMBER 31, 2025

Township Administrator Pappas explained the highlights of this bargaining agreement including increase in compensation, increase in healthcare costs, clothing allowances and holiday pay.

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

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

THE RESOLUTION WAS ADOPTED.

A copy of resolution [#23-08-17-242](#) is appended to the official minutes

BE IT RESOLVED, by the Bridgewater Township Council that this body will now hold a closed meeting to discuss 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 9:53 p.m.

A copy of resolution [#23-08-17-243](#) is appended to the official minutes.

On the motion of Councilman Ring, seconded by Councilman Norgalis, the meeting reconvened to open session at approximately 10:33 p.m. and adjourned immediately thereafter.

**Closed
Session**

Respectfully Submitted,

Grace Njuguna, RMC
Deputy Township Clerk

Michael Kirsh
Council President