MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL SEPTEMBER 7, 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, September 7, 2023, at 7:30 p.m. in Council Chambers in the Municipal Complex, Bridgewater, New Jersey 08807 & via Live Online Broadcast.

Acting Council President Ring 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: Michael Pappas, Township Administrator

Christopher Corsini, Township Attorney Grace Njuguna, Deputy Township Clerk

Councilman Norgalis led the audience in the Pledge of Allegiance.

Minutes

AUGUST 3, 2023 - REGULAR SESSION

On motion of Councilman Norgalis, seconded by Councilman Kurdyla, the August 3, 2023, regular session minutes were moved for approval and passed unanimously on a voice call vote.

AUGUST 3, 2023 - CLOSED SESSIONS

The August 3, 2023, closed session minutes were passed around for Council approval & signature.

Council Reports

Councilman Kurdyla

- Attended the Hindu Temple and Cultural Society's re-dedication ceremony.
- Attended the groundbreaking ceremony at the Cellares Corporation.

• Attended the Martinsville Fire 100th anniversary ceremony. Councilman Kurdyla thanked and appreciated the volunteers for their 100 years of service.

Councilman Norgalis:

- Over the years, the Council has heard numerous resident complaints about dilapidated homes in need of dramatic repair or unkempt grounds overgrown and degrading the neighborhood. The most recent example is 1060 Elm Rd in the Sunset Lake area. Zoning Officer Roger Dornbierer has the unenviable job of following up on these issues and 1060 Elm is a textbook example of the complexity of such cases. It appears that that former owner has died and left no relatives or friends to assume responsibility for the property. The issue facing Bridgewater is what are our options on the approximately dozen homes that we are aware of? Councilman Norgalis will continue to talk with Mr. Pappas to determine an appropriate solution. More in the future on this topic.
- The NJ State Department of the Treasury Unclaimed Property Administration has published an 18-page document displaying names addresses and Property ID numbers for many thousands of unclaimed properties being held by the state. There are lots of Bridgewater and Martinsville addresses listed. The telephone number for Unclaimed Property is 609 292 9200. A copy of the 18-page report will be held in the clerk's Office.
- There is a town owned parking lot at the corner of Milltown Rd and Route 22. It was originally built under a prior administration as a parking lot for bus transport into NYC. The bus idea was abandoned years ago because of insufficient ridership. The lot has been used as an overnight parking facility for vehicles including over the road truckers and in one case a popup flea market. Very recently, a fairly new tractor abandoned for weeks with an expired registration was towed by police when the owner could not be reached. In the absence of any township sponsored activity at that location Councilman Norgalis recommended that, in order to reduce township liability, we prevent access to that lot.
- Councilman Norgalis thanked Chairman Mohan Ram Myneni of the Hindu Temple and Cultural Society and Temple Officer Shaker Vamparela for the personally guided tour for Councilmen Kurdyla, Councilman Ring and himself as part of their every twelve-year re-dedication. It was a very enlightening experience.

- Councilman Norgalis, along with Councilmen Kurdyla, Ring and Pedroso visited Cellares Corporation at 95 Corporate Drive on the eve of their public announcement regarding the ground-breaking human cell cancer research. Councilman Norgalis asked them for a formal statement and here is what they said. "Cellares raised \$255M to Launch First Integrated Development and Manufacturing Organization (IDMO) and Pioneering Smart Factory to Meet Global Demand for Life-Saving Cell Therapies."
- Attended the National Senior Citizen Recognition Day ceremony at our Senior Center. This was originally signed into law by President Reagan. The annual township affair had over 200 guests. Councilman Norgalis acknowledged Jennifer and Judy who run the center.

Councilman Pedroso:

- Attended the Martinsville Fire 100th anniversary ceremony. Councilman Pedroso expressed his gratitude for all the men and women that volunteer their time to serve our community.
- Acknowledged all students, faculty, staff in Bridgewater Township and wished them a great school year.
- Bridgewater Family Fun Day is scheduled for Sunday, September 10 from 11am-3pm.

Councilman Ring:

- Participated in the Martinsville Fire 100th anniversary celebration. There was a bench dedication collaboration between the fire department and the township in honoring the Connor's. In one of the fields at Crim Park, a bench was dedicated to recognize the service of Jeffrey Connor and his father Ted Connor for their contribution to the township. Jeff was a long-time fireman with the Martinsville Fire Department who passed away earlier this year. He also served with the rescue squad and was a long-time township DPW employee. His father Ted was a very key member of the Martinsville organization and kept the rescue squad running for a number of years.
- Participated in the Hindu Temple and Cultural Society 12th anniversary celebration.
- Continued to attend Master Plan review committee meetings.
- The Planning Board met earlier this week and had an interesting case where the temporary cell tower on Milltown road was due to come down

in July but when they went to start the demolition, there was a new cell tower where Osprey had built a nest. These are a protected bird which forbid work from happening within 500-ft of that location. A lot of work was done with the State. The birds have since left the nest and an extension was given for that cell tower to remain through January. This needs to happen soon because there is a high probability that the birds can return to that new cell tower in the Spring and build another nest.

- The 9-11 ceremony is scheduled for Monday, September 11, 2023 at 8:30am, rain or shine. Originally, we had scheduled a flag placement event on Saturday morning where we would place one American flag in the ground to represent each person that lost their life on 9-11 but due to the weather forecast, that has been cancelled.
- The Township and JCC joint family fun day is currently scheduled for 11am to 3pm on Sunday, September 10 at the Bridgewater Commons Mall.

Council President Kirsh

- Explained he has a personal matter that he may need to attend to at home which was the reason Councilman Ring was chairing the meeting.
- Attended the NJ Planned Life Time Assistance network event two weeks ago at Somerset Ball Park. They provide support and resources for those across the Central Jersey community who may need additional assistance planning for the care of individuals who need it.
- Labor Day brings the start of school. Council President Kirsh sent his best wishes to all students and their families.
- Acknowledged that our municipal building is now flying a flag with our renewed emblem; the old one was well worn.
- 9-11 ceremony is scheduled for Monday morning at 8:30am in order to remember the events of that day and focus attention on the victims.
- Attended the Martinsville Fire 100th anniversary ceremony. Acknowledged the bench dedication that occurred honoring the Connor family and their contribution to Bridgewater/Martinsville.

Mayor's Reports

Michael Pappas, Township Administrator reported on behalf of Mayor Moench

- The audio/visual system in the courtroom is now fully functioning.
- Administration made request that resolution 12e be removed from the

agenda until the next meeting.

- Administrator Pappas explained he is aware of the issues at the Milltown road property as well as the various property concerns mentioned by Councilman Norgalis. Deputy Administrator Wells led a meeting of a number of staff people reviewing a number of properties all around town. The complaints have been received and are at varying stages of review and inspections are taking place. In due time, administration will present some action for Council to consider
- Police Chief Mitzak was invited to highlight Police Department activity.

Police Chief Mitzak stated that earlier this year, the SHIELD program commenced followed by an inaugural Citizen Police Academy that was a tremendous success. On Thursday, September 13th, we will once again run a Citizen Police Academy. There are currently 15 applicants and applications are still being accepted. It is a 10-12-week program with graduation in late November/early December. There is no cost for the public to participate.

Proclamation

NATIONAL OVARIAN CANCER AWARENESS MONTH

Councilman Howard Norgalis read the following proclamation and presented it to Sergeant James Edwards:

WHEREAS, ovarian cancer is the leading cause of gynecological cancer death in the United States; and

WHEREAS, ovarian cancer is known as the "subtle disease" because its symptoms are often difficult to detect, and can mimic those of other diseases and disorders; and

WHEREAS, there is no early detection test for ovarian cancer and recognition of the warning signs are essential to the early detection and effective treatment of the disease; and

WHEREAS, the symptoms of ovarian cancer include abdominal and pelvic pain, difficulty eating and frequent urination; and

WHEREAS, because early symptoms of ovarian cancer are commonly overlooked, increased public awareness and knowledge of the disease, its risk factors and its subtle symptoms SAVES women's lives and are essential in getting a diagnosis and advantageous treatment for the disease; and

WHEREAS, September has been designated National Ovarian Cancer Awareness

Month; and

WHEREAS, the Bridgewater Together Teal campaign is dedicated foremost to the proactive awareness of ovarian cancer and its symptoms; and

WHEREAS, the Together Teal campaign was built on the vision of Renee Edwards, who launched it in the Township of Bridgewater in 2014 during her battle with ovarian cancer; and

WHEREAS, teal ribbons will be prominently displayed at the Township Municipal complex in an effort to raise' awareness about ovarian cancer and its early symptoms; and

WHEREAS, Bridgewater Township strongly encourages all residents to learn more about ovarian cancer and to spread knowledge of and resources to combat it to their families, friends and neighbors; and

NOW THEREFORE, I, Matthew C. Moench, Mayor of Bridgewater Township do hereby proclaim the month of September as National Ovarian Cancer Awareness Month and urge all the citizens of the Township to recognize the critical impact of the Together Teal Campaign and to offer support to those whose lives have been touched and impacted by ovarian cancer and participate fittingly in this commemorative event.

Presentation

HOBBSTOWN BASKETBALL COURT INITIATIVE

Eric Murdock made presentation noting he is a Bridgewater native and was fortunate to have played in the NFL. Mr. Murdock narrated how he lost his mother at six months old due to a drunk driving incident. He was raised by his grandmother who fostered him along with nine children of her own.

Mr. Murdock explained the David and Phillip Miller Park in the Hobbstown area of town is dilapidated, dirty and unsafe. He offered he has a 501c3 organization and his first initiative is to rehabilitate the basketball court which meant so much to him growing up. He added the Court was named after his great uncles Dave and Phil and he would like it to represent who they were as pillars of the community. Coach Stapleton and Mrs. Stapleton were great assets and it was at this park that he learnt competitiveness, integrity respect, and how to be a team player. He would not have made it to the NBA if it wasn't for the David and Phillip Miller Park.

Mr. Murdock added that with his nonprofit, he will hold a 3V3 tournament at the Bridgewater High School on September 16th. Their hope is to raise money which they will then present to Bridgewater and hopefully collaborate in restoring the

David and Phillip Miller park. This will be one of the ways he can continue to give back to the community. He added they have an engineering company that will donate their services to engineer the entire project which would otherwise cost a lot of money.

Council expressed their appreciation for Eric Murdock's initiative.

Resolution

RESOLUTION REQUESTING PERMISSION TO ESTABLISH A DEDICATED TRUST BY RIDER FOR THE TOWNSHIP OF BRIDGEWATER'S DAVID AND PHILLIP MILLER PARK, LOCATED IN THE HOBBSTOWN AREA OF THE TOWNSHIP, FOR REHABILITATION AND CONSTRUCTION OF BASKETBALL COURT DONATIONS PURSUANT TO N.J.S.A. 40A:5-29.

Township Administrator Pappas explained this resolution will allow the township to collect donations that will be earmarked for the David and Phillip Miller Park project.

On motion of Councilman Ring, seconded by Councilman Norgalis, 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 #23-09-07-245 is appended to the official minutes

UPDATE ON OPEN SPACE ACQUISITION

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

On August 6, 2018, the Council adopted Ordinance #18-14 authorizing the acquisition of land identified as a portion of Lot 4 Block 712, after a minor subdivision known as Lot 4.02.

Said property consisting of approximately 30.48 acres, and commonly known as 440 Foothill Road was purchased by the Township from Bridgewater Estates, LLC (Seller), for the purchase price of \$1,925,000. The seller donated Lot 63 Block 718 to the Township. This transaction closed on January 18, 2019. There was a credit to Bridgewater Township for roll-back taxes for a "net" purchase price of \$1,825,000. Funding for this acquisition as outlined in the recorded deed:

\$250,000 paid by the County of Somerset, \$250,000 paid by the Cross Roads of the American Revolution Association, \$175,000 paid by the D&R Greenway Land Trust, and \$1,150,000 paid from the Township Open Space Trust Fund. The D&R funding, as a condition of the grant, required the property be available to the public by construction of a stone parking lot and trails, as agreed upon by the Township and D&R in the future.

On March 16, 2023, the Council adopted Ordinance #23-05 authorizing the acquisition of land identified as Lot 5 Block 712. This property consisting of approximately 5.01 acres, and commonly known as 525 Steele Gap Road, was purchased from Mary Jean Stempien and Kathryn Ann Harknett (Seller), for the purchase price of \$565,000. This transaction closed on June 15, 2023. D&R is proposing to pay \$50,000 towards the purchase of 525 Steele Gap Road, the Stempien property.

The Stempien property will allow for access within the existing driveway. There is a grass path leading to the spring located on Block 712 Lot 4.01. Parking spaces and additional trails will be constructed, and signage will be installed. All will be maintained by Bridgewater Township. These items will satisfy the conditions of Ordinance #18-14. This is all outlined in the proposed Resolution authorizing execution of a Participation Agreement between the Township and D&R.

Following the presentation, Mr. Genova shielded 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 Kurdyla, the meeting was opened to the public for comment.

Mr. & Mrs. Joe Casale, 44 Prospect Avenue, Bridgewater, NJ 08807 Stated they have been following Council action since July regarding short term

rentals and expected a revised Ordinance to be presented and discussed tonight but they do not see it on the agenda.

Council explained there continues to be a lot of work in this regard. Some information has come up in the last few days regarding some State statutes that restrict Council action in certain situations for senior citizens in the State of NJ. In that regard, administration is actively working on the Ordinance and the goal is to have a new draft to introduce at our next Council meeting.

Mrs. Casale expressed appreciation for the Council as they pursue a way forward with the short-term rentals' ordinance noting they would like their neighborhood to remain residential.

Jennifer Loughran, 716 Falcon Ct, Bridgewater, NJ 08807

- Applauded Eric Murdock for his efforts with the David & Phillip Miller Park.
- Discussed the 'Playground for Everybody' Project noting they are looking to fundraise as a community to make that happen.
- Introduced the concept of a pump track which is not exclusively for skate boarders but very popular and asked that Council consider this for the Master Plan.
- Skate school is starting.
- 'Skate for the Paws' event is scheduled for November 11th. This is a fundraiser for the animal shelter as well as a concert.
- Expressed support for the community Police Academy.

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

Resolutions

AMENDING RESOLUTION #23-08-03-237 APPOINTING WILLIAM PANDOS AS CHIEF FINANCIAL OFFICER FOR THE TOWNSHIP OF BRIDGEWATER FROM JANUARY 1, 2023 THROUGH DECEMBER 31, 2026

Township Administrator Pappas explained the previously adopted resolution was incorrect. The term has been amended to state the expiration of the term is 2026 and not 2027 as previously stated.

On motion of Councilman Norgalis, seconded by Councilman Kirsh, 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 #23-09-07-244 is appended to the official minutes

RESOLUTION AUTHORIZING CONSENT TO AN ASSIGNMENT, ASSUMPTION AND ADMISSION AGREEMENTS BETWEEN BRIDGEWATER COMMONS MALL, LLC, BRIDGEWATER COMMONS MALL II, LLC AND BRIDGEWATER PACIFIC, LLC

Township Administrator Pappas explained the redevelopment agreement requires that council must consent to the change of title which is what this resolution accomplishes.

Councilman Pedroso stated he will not be supporting this Ordinance because a few months ago, he reported to this governing body that he had become aware that several teenagers had undergone some type of sexual harassment while employed by a retailer at the mall. Following that incident, Councilman Pedroso had reached out to the owner of the mall and asked them to impose some minor policies regarding some type of education to the employers at the mall in order to protect our teenagers and children that are employed at the mall. Councilman Pedroso stated that until the mall takes certain actions to safeguard our children, he will not be supporting them.

On motion of Councilman Norgalis, seconded by Councilman Kirsh, 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 #23-09-07-246 is appended to the official minutes

RESOLUTION AUTHORIZING EXECUTION OF A PARTICIPATION AGREEMENT BETWEEN D&R GREENWAY LAND TRUST, INC. ("GREENWAY") AND THE TOWNSHIP OF BRIDGEWATER ('THE TOWNSHIP")

On motion of Councilman Kurdyla, seconded by Councilman Norgalis, 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 #23-09-07-247 is appended to the official minutes

AWARD OF CONTRACT FOR THE 2023-2024 SNOW REMOVAL SERVICES TO K & J TREE SERVICE, LLC, 16 STONY BROOK ROAD, BRANCHBURG, NEW JERSEY, IN

AN AMOUNT NOT TO EXCEED \$75,000.00 TO BE FUNDED THROUGH THE 2023 SNOW REMOVAL FUND

Township Administrator Pappas explained this firm assists us during snow removals.

On motion of Councilman Ring, seconded by Councilman Kirsh, 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 #23-09-07-248 is appended to the official minutes

AWARD OF CONTRACT TO TOP LINE CONSTRUCTION CORP. (22 FIFTH STREET, SOMERVILLE, NJ 08876) FOR THE FOXCROFT ROAD AND SPRING VALLEY DRIVE ROADWAY IMPROVEMENT PROJECT WHICH INCLUDES THE ENTIRE LENGHTS OF FOXCROFT ROAD AND SPRING VALLEY DRIVE, IN THE SUM OF \$651,677.93, FUNDED THROUGH THE 2023 CAPITAL FUND AND NJDOT MUNICIPAL AID GRANT. THE TOWNSHIP COST IS OFFSET BY A NJDOT MUNICIPAL AID GRANT (FY 2023) IN THE AMOUNT OF \$564,770.00

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 #23-09-07-249 is appended to the official minutes

AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE, IN THE AMOUNT OF \$51,548.00, AND ACCEPTANCE OF THE SITE IMPROVEMENTS, FOR MAVS, BLOCK 907, LOT 34 AND 35 - 1979 WASHINGTON VALLEY ROAD, BRIDGEWATER, NJ

Township Administrator Pappas explained this project is complete and the recommendation is to release the performance guarantee.

On motion of Councilman Kirsh, seconded by Councilman Norgalis, 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 #23-09-07-250 is appended to the official minutes

WAIVER OF FIRE PERMIT FEE IN THE AMOUNT OF \$60 FOR PIONEER FAMILY SUCCESS CENTER IN CONNECTION WITH A FAMILY CAMPFIRE EVENT TO BE HELD AT THE BRIDGEWATER YMCA, 601 GARRETSON ROAD, BRIDGEWATER ON THURSDAY SEPTEMBER 21, 2023 (RAIN DATE SEPTEMBER 28, 2023)

On motion of Councilman Kirsh, seconded by Councilman Norgalis, 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 #23-09-07-251 is appended to the official minutes

RENEWAL OF PLENARY RETAIL DISTRIBUTION LIQUOR LICENSE 1806-44-045-001 FOR BHAGAVATH SINGH KETHARAJU OF BRIDGEWATER WINES, LLC TRADE NAME LIQUOR CAVE, 674 US HIGHWAY 202/206, BRIDGEWATER, NEW JERSEY 08807 WITH SPECIAL RULING PURSUANT TO N.J.S.A. 33:1-12.18 FOR THE 2023-2024 LICENSING TERM

Deputy Clerk Njuguna explained this is the renewal of the liquor license that we auctioned off earlier on in the year.

On motion of Councilman Kirsh, 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 #23-09-07-252 is appended to the official minutes

RESOLUTION TERMINATING ALL PARTICIPATION UNDER THE STATE HEALTH BENEFITS PROGRAM (SHBP) INCLUDING PRESCRIPTION DRUG PLAN AND/OR DENTAL PLAN COVERAGE

AUTHORIZING ACCEPTANCE OF A PROPOSAL FROM HORIZON BLUE CROSS OF NEW JERSEY TO PROVIDE MEDICAL INSURANCE TO THE TOWNSHIP OF BRIDGEWATER FOR A TOTAL ANNUAL PREMIUM OF \$6,528,000.00 FOR DECEMBER 2023 AND THE YEAR 2024

Administrator Pappas explained we shifted to the State health benefits plan about a year ago primarily because the cost for the private plan we had was increasing significantly. Round Hill Risk managers has been very aggressive in seeking options for the township and at this time recommends moving back to the Horizon private plan that we had been in. The coverage is same or better.

Administrator Pappas further explained that although we do not have the prescription drug and dental plan with the State, the language of the first resolution is what is required in order to withdraw from the State health benefits plan.

Scott Redlinger was present to field questions from the governing body and explained the cost savings to the township.

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 RESOLUTIONS WERE ADOPTED.

Copies of resolution #23-09-07-253 thru #23-09-07-254 are appended to the official minutes

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On the motion of Councilman Norgalis, seconded by Councilman Kurdyla, the meeting adjourned at approximately 8:58 p.m.

Respectfully Submitted,

Grace Njuguna, RMC Deputy Township Clerk

Michael Kirsh Council President