

AUGUST 5, 2019

Mayor Susan R. Marshall called the regular meeting of the Tuckerton Borough Council to order on August 5, 2019 at 7:00 pm in the Borough Complex.

Provisions of the Open Public Meetings Act were complied with as notice was published to the *Beacon* and the *Asbury Park Press* stating the time, date and place of this meeting.

The following members of Council were in attendance: Keith Vreeland, John Schwartz, Sam Colangelo, Frank D'Amore, Mike Santo, Ron Peterson and Mayor Susan R. Marshall.

Mayor Marshall led the salute to the flag.

RESOLUTION #132-19

**RESOLUTION OF THE BOROUGH OF
TUCKERTON, COUNTY OF OCEAN, STATE OF
NEW JERSEY, AUTHORIZING THE RENEWAL OF
MEMBERSHIP IN THE OCEAN COUNTY JOINT
INSURANCE FUND**

Mr. Vreeland moved, second by Mr. Schwartz that Resolution #132-19 be approved as read. It was so moved by the unanimous consent of Council.

RESOLUTION #133-19

**RESOLUTION OF THE BOROUGH OF
TUCKERTON, COUNTY OF OCEAN, STATE OF
NEW JERSEY, AUTHORIZING PAYMENT OF
CLAIMS**

Mr. Schwartz moved, second by Mr. Vreeland that Resolution #133-19 be approved authorizing payment of claims in the amount of \$564,118.60. It was so moved by the unanimous consent of Council.

RESOLUTION #134-19

**RESOLUTION OF THE BOROUGH OF
TUCKERTON, COUNTY OF OCEAN, STATE OF
NEW JERSEY, AUTHORIZING A CHAPTER 159
FOR THE TUCKERTON BEACH LIVING**

**SHORELINES PROJECT FROM THE NEW JERSEY
DEP IN THE 2019 MUNICIPAL BUDGET**

Mr. Schwartz moved, second by Mr. Vreeland that Resolution #134-19 be approved as read. It was so moved by the unanimous consent of Council.

RESOLUTION #135-19

**A RESOLUTION AUTHORIZING THE BOROUGH
OF TUCKERTON TO ENTER INTO A SHARED
SERVICE AGREEMENT WITH THE TOWNSHIP
OF LACEY FOR THE SHARED USE OF TAX
ASSESSOR SERVICES PURSUANT TO THE
INTERLOCAL SERVICES ACT N.J.S.A. 40:8A-1 ET.
SEQ.**

Mr. Schwartz moved, second by Mr. Vreeland that Resolution #135-19 be approved as read. It was so moved by the unanimous consent of Council.

Mr. Colangelo explained the resolutions he is reading tonight and also stated the document shredding was a huge success and thanked the Tuckerton Beach Association for the concert, Fred Conley was amazing.

RESOLUTION #136-19

**RESOLUTION OF THE BOROUGH OF
TUCKERTON, COUNTY OF OCEAN, STATE OF
NEW JERSEY, AWARDING A CONTRACT TO
EASTCOM ASSOCIATES, INC. FOR THE
PURCHASE OF A FLEXIPROBE LATERAL
CAMERA FOR THE WATER AND SEWER
DEPARTMENT**

Mr. Colangelo moved, second by Mr. Vreeland that Resolution #136-19 be approved as read. It was so moved by the unanimous consent of Council.

RESOLUTION #137-19

**RESOLUTION OF THE BOROUGH OF
TUCKERTON, COUNTY OF OCEAN, STATE OF
NEW JERSEY, CONSENTING TO THE PROPOSED
OCEAN COUNTY WATER QUALITY
MANAGEMENT (WQM) PLAN AMENDMENT**

Mr. Colangelo moved, second by Mr. Vreeland that Resolution #137-19 be approved as read. It was so moved by the unanimous consent of Council.

Mr. Santo read the July 2019 Construction and Fire Department report a copy of which is on file in the Municipal Clerk's Office for public inspection.

Mr. Santo moved, second by Mr. Peterson that the minutes of the meetings of July 15, 2019 be approved as presented. It was so moved by the unanimous consent of Council.

RESOLUTION #138-19

RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, ASSESSING LIEN UPON DWELLINGS OR LANDS FOR PROPERTY MAINTENANCE PURSUANT TO BOROUGH ORDINANCE §103-2 AND PERMITTED BY N.J.S.A. 40:48-1.14

Mr. Santo moved, second by Mr. Peterson that Resolution #138-19 be approved as read. It was so moved by the unanimous consent of Council.

RESOLUTION #139-19

RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING RESOLUTION NO.126-19 ASSESSING A LIEN UPON BLOCK 38, LOT 33 IN ERROR

Mr. Santo moved, second by Mr. Peterson that Resolution #139-19 be approved as read. It was so moved by the unanimous consent of Council.

Mr. Peterson reminded everyone about the Tuckerton/Beach Haven Ferry that runs on Saturday, Sunday and Monday and on Tuesday it is used for educational purposes out of the Tuckerton Seaport.

Mayor Marshall stated it was great to see some people out at the meeting this evening.

RESOLUTION #140-19

RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY PROVIDING FOR AN EXECUTIVE SESSION IN ACCORDANCE WITH THE OPEN PUBLIC MEETING ACT

Mr. Colangelo moved, second by Mr. Vreeland that Resolution #140-19, providing for a closed session to discuss possible/anticipating litigation with the police department. It was so moved by the unanimous consent of Council.

Lee Eggert, Tuckerton Fire Department stated the department was OPRA requested for financial records and the department will set up a meeting for anyone interested to see the financial records and take pictures of what information they are seeking, instead of wasting paper and making multiple copies of records. He stated there has been a lot of false accusations being spread on facebook and he asks that if anyone has any questions or concerns to please call him any time or on Tuesday nights there is always a meeting at the fire department please stop by.

Nadean Maddox, member of the TEC, EDC and Chair of Waterways Commission stated she is working with the TEC to make the flower beds in town.

Mr. Colangelo moved, second by Mr. Vreeland that the meeting be opened to the public.

William Hennaut, 607 Cedar Street, wanted to thank the Police department for helping out when she locked the keys in her car, she truly appreciates the department and feels they are absolutely wonderful!

Justin Cherry, Beachwood, NJ stated he is a Tuckerton Police Officer that has been suspended without pay since 2014. October 2005 was the greatest day of his life which was the day he was sworn in as a police officer for the Borough of Tuckerton. He served the Borough from 2005 through 2014 and during that time he received the medal of valor and other awards and valdations, was the K9 Officer, always prided himself in being a community police officer, worked with one of the great community police officer Matt Caufield and learned a tremendous amount from Cpl. Caufield, performed demonstrations with the K9 at various events including student government day, he was not a problem officer for the Borough. In January 2014 he was doing his job as a Police Officer and but because of false accusations, my three children and wife had to suffer financially, we lost our home and now have to live with my in-laws. Shortly the governing body members will have to make a decision on whether or not to charge administrative charges, he is asking to please read all the facts, read what the Judge who acquitted him said, please make a decision based on facts and not personal opinions that are being falsly represented by the Prosecutor's Office and Chief Michael Caputo.

Claudette Ferraren, Toms River, stated she has known Cpl. Cherry for thirteen years, she has interefaced with law enforcement, worked with prosecutors, attorney generals offices and worked for Senator Cory Booker. She works in the capcity of Administrator in a jail and is honored to speak on behalf of Cpl. Justin Cherry. He is in love with being a police officer, a real measure of this man's character is when his world has been rocked for 5 ½ years he never said an ill will of the justice system, he maintain a strong structure for his family through the 5 ½ years and him and his wife have raised three wonderful boys. She continued on with the notable character Cpl. Cherry has and

how through all of it he remained calmness, love and support. She will never stop believing in him and asked that the Borough please consider re-instating him as a Police Officer.

Kevin Lyons, Manahawkin, NJ stated he is a retired Long Beach Island Police Officer, he now runs the legal protection unit of the State PBA plan and has dealt with thousands of discipline hearings throughout the State and has watched this whole situation from the beginning and understands the Council is in a tough situation and feels the County Prosecutor has now made it a huge financial problem for the Borough and understands that, but feels the Borough cannot put the financial problem into decision making. He asked the governing body to use common sense and judgement when dealing with this matter, he understands this is a hard spot to be in, but feels the Borough should re-instate Justin.

Frank Fehn, 82 Curlew Road thanked Mr. Colangelo for explained the resolutions he feels that is very helpful and hopes all of Council will continue that. He then asked about the bill list and what grant was charged for the Owen Little bill about the Shoreline Restoration Project; there is a bill for the audit does the Borough have the audit yet and can someone explain what the \$350,000 grant is for.

It was explained the bill from Owen Little and associates was for the update design of the Little Egg Harbor Shoreline Protection project that was required to be done by the State of New Jersey because the last design was done in 2011; which is being charged to the grant entitled the same, the Borough does not have a completed audit yet and it was explained that the Borough applied for a grant to NJ DEP that included three different areas and the one the NJDEP choose was the Lanyard Lagoon living shoreline portion of the grant in the amount of \$350,000.

Karen Tribert, 297 Heron Road read a prepared statement, that she is a newer resident to the Borough, but has attended several meetings and she does not have a clear picture and is very suspicious of the administration for the Borough of Tuckerton, she feels the Mayor and Council should answer the questions why do you turn to the clerk for the answers, she has witnessed rude comments or punting of the questions which needs to stop, projects have started and stopped and there is no answers as to why that is happening, she feels the Borough has a very sketchy budget for the projects and there are too many projects that are not complete and there appropriations within the budget that are unjust.

Ann Marie Sweeney, 600 South Green Street, stated there are some that have saw significant increases in taxes and there are some that saw significant decreases including some of the members on Council. She would like to know how the new assessments were established and why there is such a discrepancy between.....

Mrs. Gleghorn stated that it is not fair to asked the governing body the questions you are asking about the re-assessment. The governing body was purposely left out the process for the re-assessment because it would have been unethical for them to be

involved and that is why there was an outside company hired to perform the job with the help of the Borough Tax Assessor. If she would like an answer to the question she should seek the help of Ed Seeger, Borough Assessor and not the governing body because Mr. Seeger is the professional and licensed to handle the assessments for the Borough.

John Zubrinski, 707 South Green Street, stated that Tuckerton Beach is Long Beach Island, but the taxes they are paying is higher in Tuckerton than LBI and the Council should make some decisions to decrease the taxes or else there will be a fire sale in Tuckerton Beach. During the re-assessment he asked for a meeting and ASI explained there was a 1/3rd rule where a third of the town would go up, a third would remain the same and a third would go down. It seems that half the town went up and the other went down and he cannot understand why it changed. He feels that a land of property 50x100 should be assessed exactly the same and it is not and why is that.

It was explained to him that Mr. Seeger is here this evening and is also here every Wednesday 9 am to 4 pm to answer any of his questions.

Carolyn Keen, Curlew Road asked what the \$564 was and with regards to the fire truck and its purchase shouldn't there have been some sort of referendum or vote afforded to the residents of the Borough before the purchase was made.

Council stated they will look into the information she provided and see what they can do.

Carolyn Keen, Curlew Road stated she thinks that maybe the high school would be interested in videotaping the meeting and providing the recording via the Borough's website.

Mrs. Gleghorn explained she spoke to Pete Gioello today and he was going to speak to the high school to see if they would be interested; however if the town provides the service there are regulations the Borough must follow that would have a cost.

Jamie Gross, 115 Curlew Road, thanked the Council for approving the bands and also stated the TBA would like to donate a life ring to be placed at the South Green Street Park for use in case someone falls over.

JULY 15, 2019

The Council thanked her for considering that and asked to speak to the Public Works Supervisor with details.

Frank Fehn, 82 Curlew Road asked the following questions: Maybe the money we get from Comcast can help pay for the video recording that is being requested? A few meetings back John Morris of Heron Road was talking about dredging lanyard lagoon where are we with that? A year ago Senator Connors stated he was sponsoring a

bill that the state would take over navigable waterways has there been anything new on that? He sees on the budget there was a cost for pizza for the cleanup which is a great idea to use for cleanup and the art in the hallway is also a great thing; lastly will there be lights on the breakaway located on South Green Street.

Mr. Connors explained the bill her sponsored has not been moved and he does not believe it will move, Mrs. Gleghorn stated she will look into the Comcast funds but the cost to get the recording system for the Borough far out ways the \$8500 and Mr. Schwartz stated there will be lights on the breakaway and the lanyard lagoon received a grant but not for dredging.

There being no further comments or questions, Mr. Colangelo moved, second by Mr. Vreeland that the public portion be closed. It was so moved.

Mr. Colangelo moved, second by Mr. Schwartz that the meeting be adjourned. The motion was unanimously approved at 7:45 pm.

Respectfully submitted,

**JENNY GLEGHORN, RMC
BOROUGH CLERK**

Approved:

**SUSAN R. MARSHALL
MAYOR**