

JULY 17, 2023

Mayor Susan R. Marshall called the regular meeting of the Tuckerton Borough Council to order on July 17, 2023 at 7:00 pm.

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, Brian Martin, Sam Colangelo, Frank D'Amore, Mike Dupuis Sr., Ron Peterson and Mayor Marshall.

Mayor Marshall led the salute to the flag.

ORDINANCE #7 OF 2023

**ORDINANCE OF THE BOROUGH OF TUCKERTON
COUNTY OF OCEAN STATE OF NEW JERSEY,
AUTHORIZING THE EXECUTION OF A TAX
ABATEMENT AGREEMENT WITH DOMINICK
CORAZZA & MADLYN MIGNONE FOR ADDED
IMPROVEMENTS TO BLOCK 16, LOT 20**

Mr. Vreeland moved, second by Mr. Martin that the meeting be opening for public comment on Ordinance #7 of 2023 only. It was so moved.

Carolyn Keen, 84 Curlew Road, asked if this was for Doyle's.

It was explained that it is not for Doyle's. It's for Papa D's which is located next to Doyle's.

Seeing no further comments, Mr. Vreeland moved, second by Mr. Martin to close public comment.

Mr. Vreeland moved, second by Mr. Colangelo that Ordinance #7 of 2023 be approved on second and final reading. It was so moved by the following vote: Yes – Vreeland, Martin, Colangelo, D'Amore, Dupuis, Peterson; No – none; Abstain – none; Absent – none.

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RESOLUTION #123-23

**RESOLUTION OF THE BOROUGH OF
TUCKERTON, COUNTY OF OCEAN, STATE OF
NEW JERSEY, AUTHORIZING A MUNICIPAL
REFERENDUM ON CANNABIS SALES WITHIN
THE BOROUGH**

Mr. Vreeland moved, second by Mr. Martin that Resolution #123-23 be approved as read. It was voted against by majority consent of council.

Mr. Martin stated that he met with Jeff VanDrew about the Spit of Land. He read an email that stated we have been voted to be put on the bill for funding for this project if it gets passed.

Mr. Martin also read a statement on the increased water & sewer bills.

RESOLUTION #124-23

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

Mr. Martin moved, second by Mr. Vreeland that Resolution #124-23 be approved authorizing payment of claims in the amount of \$546,821.22. It was so moved by the unanimous consent of Council.

RESOLUTION #125-23

**RESOLUTION OF THE BOROUGH OF
TUCKERTON, COUNTY OF OCEAN, STATE OF
NEW JERSEY, REQUESTING APPROVAL OF A
DEDICATION BY RIDER IN ACCORDANCE WITH
NJSA 40A:4-39 FOR THE ACCEPTANCE OF
DONATIONS & THE APPROPRIATION OF THE
SAME FOR THE HISTORIC PRESERVATION
COMMITTEE AND THE CLG PROJECT**

Mr. Martin moved, second by Mr. Vreeland that Resolution #125-23 be approved as read. It was so moved by the unanimous consent of Council.

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RESOLUTION #126-23

**RESOLUTION OF THE BOROUGH OF
TUCKERTON, COUNTY OF OCEAN, STATE OF
NEW JERSEY, TO CANCEL EXCESS WATER &
SEWER CHARGES FOR THE YEAR 2021 & 2023**

Mr. Colangelo moved, second by Mr. Vreeland that Resolution #126-23 be approved as read. It was so moved by the unanimous consent of Council.

RESOLUTION #127-23

**RESOLUTION OF THE BOROUGH OF
TUCKERTON, COUNTY OF OCEAN, STATE OF
NEW JERSEY, AWARDED THE 2023 CONTRACT
FOR SENSUS WATER METER PURCHASE
SERVICES TO KENNEDY COMPANIES**

Mr. Colangelo moved, second by Mr. Vreeland that Resolution #127-23 be approved as read. It was so moved by the unanimous consent of Council.

RESOLUTION #128-23

**RESOLUTION OF THE BOROUGH OF
TUCKERTON, COUNTY OF OCEAN, STATE OF
NEW JERSEY, AUTHORIZING AN AMENDMENT
TO AN AGREEMENT WITH A.C. SCHULTES, INC.
FOR THE SFY 2022 REHABILITATION OF WELL
NO. 3 AND WELL NO. 4**

Mr. Colangelo moved, second by Mr. Vreeland that Resolution #128-23 be approved as read. It was so moved by the unanimous consent of Council.

RESOLUTION #129-23

**RESOLUTION OF THE BOROUGH OF
TUCKERTON, COUNTY OF OCEAN, STATE OF
NEW JERSEY, AUTHORIZING THE SUBMISSION
OF A GRANT APPLICATION AND EXECUTION
WITH THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION FOR THE KELLY AVENUE
FROM BAY AVENUE TO END ROADWAY
PRESERVATION PROJECT IN THE AMOUNT OF
\$430,020.00**

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Mr. Colangelo moved, second by Mr. Vreeland that Resolution #129-23 be approved as read. It was so moved by the unanimous consent of Council.

Mr. Dupuis motioned, second by Mr. D'Amore to approve the minutes of the meetingS from June 20, 2023 as read. It was so moved by unanimous consent of Council.

RESOLUTION #130-23

**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. Dupuis moved, second by Mr. D'Amore that Resolution #130-23 be approved as read. It was so moved by the unanimous consent of Council.

Mr. Peterson read the monthly Police activity report for June 2023. A copy of which will be on file in the Municipal Clerk's office for public inspection.

Mr. Martin moved, seconded by Mr. Vreeland to accept Mike Dupuis's resignation from the Land Use Board. It was so moved.

Mr. D'Amore moved, seconded by Mr. Dupuis to accept Doris Mathisen's resignation from the Pride & Celebration Committee, Tuckerton Environmental Commission, and Historic Preservation Committee. It was so moved.

Mr. Vreeland moved, seconded by Mr. Dupuis to accept Christine Peterson's resignation from the Pride & Celebration Committee. It was so moved.

Mr. Vreeland moved, seconded by Mr. Dupuis to accept Ann Marie Sweeney's resignation from the Tuckerton Environmental Commission. It was so moved.

RESOLUTION #131-23

**RESOLUTION OF THE BOROUGH OF
TUCKERTON, COUNTY OF OCEAN, STATE OF
NEW JERSEY, APPOINTING MEMBERS TO THE
TUCKERTON BOROUGH PRIDE AND
CELEBRATION COMMITTEE**

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Mr. Dupuis moved, second by Mr. D'Amore that Resolution #131-23 be approved as read. It was so moved by the unanimous consent of Council. Mr. Martin abstained from Wayne Martin's appointment.

Mr. Peterson moved, seconded by Mr. D'Amore to revise the TBA concert date to August 5th due to rain. It was so moved.

Mr. Peterson moved, seconded by Mr. D'Amore to revise the Boat Race date to July 23rd due to rain. It was so moved.

RESOLUTION #132-23

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

Mr. Colangelo moved, second by Mr. Vreeland that Resolution #132-23 be approved as read. It was so moved by the unanimous consent of Council.

Mr. Colangelo moved, seconded by Mr. Vreeland to open the meeting to the public. It was so moved.

Bruce Menzen, 923 South Green Street, is wondering when the water and sewer authority is going to fix all the holes they have made over the past couple years.

Mr. Colangelo stated that the holes are schedule to be fixed but it takes time

Jim Halsey, 108 Clay Street, stated that nothing has been done since the last time he has been here. There are still drones flying over the street, still houses being rented out illegally, no bulk trash pick-up, even when he has called, and thinks the trash process is broken. He does not blame the workers. He also wanted to ask about the utility pole work in town when the problem is in Mystic Island. He also commented on the increase in the water and sewer rates. He stated that when Lacey Township was going through hard times, all of Council gave up there salary and benefits for two years.

Mr. Dupuis explains that there has been an emergency feed for the utility poles in case there is an accident on Great Bay Blvd. and Green Street so the whole town doesn't lose power.

Mr. Dupuis stated that he will forgo his salary and benefits.

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Robert Challender, 68 Edgewater Drive, stated that he is disappointed about the dispensary question on the ballot and urges council to reconsider. He also stated that Paradise Cove wants a sign and wants to know why the town thinks it will be a liability. He suggested selling the strip of land to Paradise Cove so they can put there sign on it. Mr. Challender also wanted to ask Council to use their power to advocate for Paradise Cove dredging because nothing is getting done.

Mr. Vreeland stated that because of the Borough's sign ordinance they have to go through Land Use to get approvals.

Peter Gioiello, 358 Kingfisher Road, thanked Council for revising the concert date and that the last one was a success. He also stated that he is happy about the news of the Spit of Land and that the dredging is great but wants to know if there are any updates on Kingfisher Lagoon.

Mr. Martin stated that the Borough is planning on applying for a grant in the fall that Tuckerton seems to be a good option for because the project has already been started. The grant is to replenish marsh land not for dredging but it will give us a place to put dredge materials which is a huge cost saver!

Mr. Gioiello stated that they will do anything they can to help. He also wanted to give the library a shout out and stated that they are fantastic.

John Dietze, 65 Fairway Drive, wants to know why the town thinks a sign is a liability when the real liability is the trees that were cut down and the logs that are still sitting there. He also expressed his concern about the increased water bills and gave examples of other towns that are not as high.

Mr. Dupuis says that he is welcome to take them away.

Mr. Martin stated that Council did not want to raise rates but they had too or the budget would not have been approved.

Gail Romano, 214 First Ave, stated that she is concerned that there are no caps or rules when it comes to water and sewer rates.

Mrs. Gleghorn stated that the Division of Local Government Services, which is under the Division of Community Affairs, oversees most local government actions.

Mr. Martin stated that the ordinance was read twice and there was a public forum to voice any concerns that was advertised in the newspaper.

Stephan Kraly, 85 Curlew Road, stated that he got a \$5,000 excess bill and wanted to know if the resolution that was passed tonight absolved it.

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Mrs. Gleghorn stated that he was not on the resolution for tonight and that she may have record that he had a water leak.

Mr. Kraly and his neighbors stated that there were no signs of a water leak. He knows that they tore up the roads and put in new lines. He stated that he was told there was a small water leak at one point coming out of the garage when they were down here and the water was turned off for a couple days but does not think it should be that much in excess.

Mrs. Gleghorn stated he is being charged for sewer also which should get waived.

Mr. Kraly also stated that we should try and get support from more Senators to help pass the bill that Mr. Martin and Mr. VanDrew have been working on.

Bruce DeRites, 189 Flamingo Road, appreciated that Council opposed voting cannabis on the ballot. He asked what the Spit of Land include and would it include any of Flamingo Road. He also wanted to know what the tax collection rate was for 2022 and maybe if we increased that it would help the water/sewer rates, and if there is a final dredge survey available. Finally Mr. DeRites asked about the upkeep of bulkheads now that so much money was spent on dredging and wants to know when they will be addressed.

Mr. Martin explained what the grant for the spit would entail.

Mrs. Gleghorn stated that we have a survey but she just wants to make sure it's certified before she starts distributing it to the public.

Mr. McAndrew stated that he has been very busy and it's been storming for the last eight days so he has not been able to get out.

Carolyn Keen, 84 Curlew Road, asked what is there fear to putting the cannabis question to a vote and what are other ideas they have for additional revenue? She also asked who owns the property where Paradise Cove wants to put there sign.

Mr. Peterson stated that it is not fair for the people that don't live here to put it to a vote.

Mr. Dupuis stated that when the Borough first put the cannabis ordinance in place, no one came to talk about it then.

Mr. Colangelo stated that the Borough owns the property where they want to put the sign.

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Kirk Olsen, 228 Western Ave, stated that he is still having problems with his neighbors and showed council pictures of things the neighbors have written about his wife. He also stated that Phil is going after him and not his neighbors.

Kaylyn Ullman, 239 South Green Street, stated that there are two sides to every story in regards to Kirk Olsen's statement and the gentlemen that he is referring to are not on a town committee but they are involved in the garden club. She also asked if we had additional businesses come into town if it would give additional tax revenue.

Mr. Martin stated that any business in town would generate additional tax revenue.

Mrs. Ullman continued and wants to know why Council said no to that. She understands that it's a family town but at the same time everything the Borough does for the families, has to be funded somehow and they usually rely on donations to continue. She stated that she and Cynthia Coritz are paying out of pocket for Moth Night. She believes that a dispensary would help costs like this.

Mr. Dupuis stated that he does not believe cannabis is right for the town.

Mrs. Ullman stated that Moth Night will be August 4th and is free to the public.

Robert Gunst, 24 Edgewater Drive, asked if Paradise Cove is a part of the bill VanDrew and Mr. Martin were talking about. He also asked if any of Council has been to the spot where they want to put the sign and stated he is a little confused because they say that if you don't come to the council meetings you will not be heard but then they say that they talk to people around town and make decisions. He also stated that he does not understand what the problem is.

Mr. Martin stated that the bill he was discussing with VanDrew has to do with the living shoreline and not Thompson's creek.

Paul Solimani, 20 Edgewater Drive, gave proof of liability insurance for the proposed Paradise Cove sign and asked Council to vote on it.

Mr. Colangelo motioned to deny the sign. It was so moved. Mr. Vreeland abstained.

Wayne Martin, 181 Santa Cruz Road, stated that Council is talking to the wrong people about the cannabis issue and believes that denying the residents voices to be heard is sending the wrong message.

Lee Eggert, 121 Willow Landing Terr & Ex-Chief for Tuckerton Fire Department, stated the first question I have for Council is where were the four no votes when they voted us out of service a year ago, we need more of that. I wanted to address something that was posted in this issue of the Leader, Councilman Martin I just wanted to talk over some things

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with you here. Basically he said, and it may not be word for word it could be paraphrasing, but there have been discrepancies with the chief about being certified and then receiving letters saying he is not fully certified. Mr. Martin needs to see it in black and white and in writing and before that he cannot take his word for it. What I am going to do is, I am going to be at the fire house tomorrow night from 7pm-9pm and will open up the personnel records with their certifications and dates if that's okay. Jenny is welcome to come too and all of Council and they can come in and see all the dates and certifications and can rest assured they're all there. The main thing with the certifications problem as we said before, Dale forgot to give the driver's license in the letter with the people properly certified, so that is a misrepresentation. Anytime from 7pm-9pm you are more than welcome to come. Another statement was all I have heard is how to get one member reinstated and not the rest of the department. Reinstatement is a separate issue that is when Dale got decertified by the State. He cannot work as a paid fire fighter now. He lost a part-time job. To give you an example, let's say someone came up with a lie about what you did and the State wrote a letter removing your certifications and now he has been in an almost year long process to get them back and we are fighting like hell for him. You have to understand that we have to expunge one of our members, I think as a Councilman all of Council and your attorney would fight stand behind you a 100%. I have no animosity about what you said.

Mr. Martin agreed with Mr. Eggert completely and does not blame anyone for fighting on behalf of Dale.

Mr. Eggert stated as far as the certifications go, there was a question here last month about that the state needs to supply a letter. I don't know if anyone has talked to the state but the golden opportunity is Wednesday at 10am, the New Jersey Fire Safety Commission has their annual meeting at the Surf City Fire House. I would suggest if you have any questions there. Now, there was one thing I wanted to point out, we have talked before Mr. D'Amore, now this has been submitted July 26, 2022 this is from Don Nelson, its official State paperwork and contact sheet and it says, I know you have denied this and I wasn't there I do not know what was said, and it says Councilman D'Amore requested the Division of Fire Safety to take corrective action against Chief Dale Eggert and his former capacity as Fire Chief and circumventing radio communication protocols while suspended. Now we proved at the hearing that was not true and that the county fire coordinator said Dale did nothing wrong so I will leave a copy of this with the attorney if you want to take it. Wednesday morning that would be a good time to find out what is going on.

Mr. D'Amore asked what this means. He asked why he would have someone step in and help us. The reason is because we have to have fire coverage. He got a call from the county and was questioning him if Tuckerton was out of service and I was worried if we still had coverage. The reason I asked him to look into this was to make sure we were not lacking in coverage. Mr. D'Amore stated that now we do have coverage through shared service and the call had nothing to do with Dale and the radio or not.

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Mr. Eggert stated just for your information, who called you, Chris Raymond the radio he denies it the dispatcher was on who got the call and it's not in any of their phone records.

Mr. D'Amore stated he does not know who called him.

Mr. Eggert stated that the point is if they want answers go to Surf City at 10am and ask the bosses over there what is going on.

Mr. D'Amore stated they have to have a letter from the State saying they are in compliance.

Charles Benson, 2 JFK Blvd & Jersey Shore Extracts, LLC, stated that Council decided that the decision to not have cannabis in town is because they want to keep the town family friendly and wants to point out that he has three kids. He is very disappointed and wanted to point out that they have participated in the last couple town events such as clean-ups.

Mr. Dupuis asked why Tuckerton and not Little Egg or Mystic Islands.

Mr. Benson stated that Tuckerton Borough was designated an impact zone and he spoke at great length to them about impact zones and sent them a blog post about it and asked to read it over again.

Candice Johnson, 2 JFK Blvd. & Jersey Shore Extracts, LLC, stated that she doesn't understand because alcohol isn't family friendly and Tuckerton has seven different locations that allow alcohol retail and consumption and they will not allow something in town that can help a lot of people and bring money to the town. She continued to state that she does not understand why they are denying a small business with three special needs kids a chance to help the community when they know the statistics on alcohol and would like them to reconsider putting the vote back on the ballot.

Mr. Dupuis stated that all the liquor licenses came about with the growth of the population and there has not been a new one in a while.

Thomas Donahue Jr., 126 Clay Street, stated that he is a cannabis user and disagrees with having it in town. He believes it will bring the wrong crowd. He also stated that the trash on his street is so bad that he cannot get into his driveway sometimes.

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

Mr. Colangelo moved, second by Mr. Vreeland that the meeting be adjourned. The motion was unanimously approved at 8:53pm.

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Respectfully submitted,

Approved:

**JENNY GLEGHORN, RMC
BOROUGH CLERK**

**SUSAN R. MARSHALL
MAYOR**