

DECEMBER 6, 2021

Mayor Susan R. Marshall called the regular meeting of the Tuckerton Borough Council to order on December 6, 2021 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, Sam Colangelo, Suzanne Taylor, Ron Peterson and Mayor Marshall. Mr. Martin and Mr. D'Amore were absent

Mayor Marshall led the salute to the flag.

ORDINANCE #15 OF 2021

ORDINANCE OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF AN EASEMENT ON A PORTION OF BLOCK 112 LOT 15 FROM CLAYTON AND ARLENE FAIRCHILD IN ACCORDANCE WITH N.J.S.A. 40A:12-5(a)(1)

Mr. Vreeland moved, second by Mr. Colangelo that Ordinance #15 of 2021 be tabled to the next Council meeting due to some concerns from the property owner. It was so move by the unanimous consent of Council.

RESOLUTION #166-21

RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING TRANSFERS BETWEEN THE 2021 BUDGET APPROPRIATIONS

Mrs. Taylor moved, second by Mr. Vreeland, that Resolution #166-21 be approved as read. It was so moved by the unanimous consent of Council.

RESOLUTION #167-21

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

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Mrs. Taylor moved, second by Mr. Vreeland that Resolution #167-21 be approved authorizing payment of claims in the amount of \$238,960.29. It was so moved by the unanimous consent of Council

RESOLUTION #168-21

RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE 2022 FISCAL GRANT CYCLE JULY 1, 2022 THROUGH JUNE 30, 2023

Mrs. Taylor moved, second by Mr. Vreeland that Resolution #168-21 be approved as read. It was so moved by the unanimous consent of Council.

ORDINANCE #13 OF 2021

AN ORDINANCE OF THE BOROUGH OF TUCKERTON, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR THE MAINTENANCE DREDGING OF THE MOUTHS OF CERTAIN LAGOONS LOCATED IN THE TUCKERTON BEACH SECTION OF THE BOROUGH AND RELATED EXPENSES SO AS TO PROVIDE NAVIGABLE ACCESS TO TUCKERTON BAY, BENEFITTING PROPERTIES ABUTTING SAID LAGOONS AND APPROPRIATING \$2,200,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$2,200,000 IN BONDS OR NOTES OF THE BOROUGH OF TUCKERTON TO FINANCE THE SAME, AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF

Mrs. Taylor moved, second by Mr. Vreeland that the meeting be opened to the public for comment on Ordinance #13 of 2021. It was so moved.

Gene Ollivant, 102 Curlew Road, asked who will be footing the bill when the Borough owned property at the end of Little Egg Harbor Blvd continues to deteriorate and falls back in the lagoons that were just dredged and is the Borough Council going to insert a line item into the budget for the maintenance of lagoon dredging for the future. The residents would like to know that there assessment is not going to waste.

Mr. Connors explained at this time state laws do not allow for a line item in a budget to plan for the maintenance of lagoons, where Council could put funds aside for future purposes; however his 9th District Legislative team has sponsored a bill that will be before the Senate and Assembly to allow for this to happen.

Mrs. Gleghorn explained there is no guarantee that marsh lands will continue to diminish and its remnants will end up in the lagoons; however the town is actively

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looking for grants that will help with the restoration of those marsh lands which will stop the wave action and help with the marsh lands breaking down.

John Zubrinski, 707 South Green Street, asked that since ten homes were removed from the original ordinance how much will each resident be paying for the special assessment now and since the soundings for the lagoons are six to seven years old he feels the project will come in well over the \$2.2 million allowance from this ordinance and what happens if that does. Do the people paying the special assessment pay the increase?

Mrs. Gleghorn explained that the figure in the survey although it is not binding that still remains the same; however the amount that will be paid by the residents for the assessment will not be determined until the job is complete. Also, per state law you cannot award a bid above the amount in the bond ordinance unless you amend the bond ordinance, therefore the maximum amount allowed is \$2.2 million so if the bids come in over that the Borough Council will have to reject the bids.

Peter Gioello, 358 Kingfisher Road, wanted to just clarify that he too feels the spit of land should be done prior to the lagoon dredging; however the people have waited so long for this that he feels the project should continue to move forward as planned and see where the chips land and at the end of the day do what is best and beneficial for both the Borough and its' residents.

There being no further comments or questions, Mrs. Taylor moved, second by Mr. Vreeland that the public hearing on Ordinance #13 of 2021 be closed. It was so moved.

Mrs. Taylor moved, second by Mr. Vreeland that Ordinance #13 of 2021 be approved on the second and final reading. It was so moved by the following vote: Yes – Vreeland, Colangelo, Taylor, Peterson; No – none; Abstain – none; Absent – Martin, D'Amore.

Mr. Colangelo moved, second by Mr. Vreeland that the governing body allow for the Public Works yard to be closed on Christmas Day and News Year Day and be opened on Christmas Eve and News Year Eve. It was so moved by the unanimous consent of Council.

RESOLUTION #169-21

**RESOLUTION OF THE BOROUGH OF
TUCKERTON, COUNTY OF OCEAN, STATE OF
NEW JERSEY, AUTHORIZING A SHARED
SERVICE AGREEMENT WITH THE COUNTY OF
OCEAN FOR THE RECONSTRUCTION AND**

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**RESURFACING OF CENTER STREET IN
ACCORDANCE WITH N.J.S.A. 40A:65-1 ET SEQ.**

Mr. Colangelo moved, second by Vreeland that Resolution #169-21 be approved as read. It was so moved by the unanimous consent of Council.

RESOLUTION #170-21

**RESOLUTION OF THE BOROUGH OF
TUCKERTON, COUNTY OF OCEAN, STATE OF
NEW JERSEY, APPOINTING MICHAEL
KADLUBOWSKI AS A FULL-TIME LABORER IN
THE PUBLIC WORKS DEPARTMENT**

Mr. Colangelo moved, second by Mr. Vreeland that Resolution #170-21 be approved as read. It was so moved by the unanimous consent of Council.

RESOLUTION #171-21

**RESOLUTION OF THE BOROUGH OF
TUCKERTON, COUNTY OF OCEAN, STATE OF
NEW JERSEY, AUTHORIZING THE EXECUTION
OF A SHARED SERVICES AGREEMENT WITH
THE COUNTY OF OCEAN FOR TRUCK WASH
FACILITIES**

Mr. Colangelo moved, second by Mr. Vreeland that Resolution #171-21 be approved as read. It was so moved by the unanimous consent of Council.

RESOLUTION #172-21

**RESOLUTION OF THE BOROUGH OF
TUCKERTON, COUNTY OF OCEAN, STATE OF
NEW JERSEY, AUTHORIZING THE EXECUTION
OF CHANGE ORDER #1 TO THE 2020 SEWER
MAIN AND WATER MAIN REPLACEMENT
PROJECT FOR ADDITIONAL WORK REQUIRED
ON VARIOUS WATER AND SEWER LATERALS**

Mr. Colangelo moved, second by Mr. Vreeland that Resolution #172-21 be approved as read. It was so moved by the unanimous consent of Council.

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RESOLUTION #173-21

RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING A CONTRACT TO CREST CONSTRUCTION GROUP, LLC. FOR THE 2022 EMERGENCY REPAIRS FOR WATER AND SEWER

Mr. Colangelo moved, second by Mr. Vreeland that Resolution #173-21 be approved as read. It was so moved by the unanimous consent of Council.

RESOLUTION #174-21

RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING A CONTRACT TO RAPID PUMP & METER SERVICE COMPANY, INC FOR THE 2022 EMERGENCY FOR ELECTRICAL/MECHANICAL FACILITIES AND PUMP STATION MAINTENANCE PROJECT

Mr. Colangelo moved, second by Mr. Vreeland that Resolution #174-21 be approved as read. It was so moved by the unanimous consent of Council.

Mrs. Taylor moved, second by Mr. Vreeland that the minutes of the meeting of November 15, 2021 be approved. It was so moved by the unanimous consent of Council.

RESOLUTION #175-21

RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING LINDSAY CRANMER AS BOROUGH TECHNICAL ASSISTANT TO THE CONSTRUCTION OFFICIAL AND PUBLIC WORKS/WATER & SEWER SECRETARY

Mrs. Taylor moved, second by Mr. Vreeland that Resolution #175-21 be approved as read. It was so moved by the unanimous consent of Council.

RESOLUTION #176-21

RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF

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**NEW JERSEY AUTHORIZING THE EXECUTION
OF A SHARED SERVICES AGREEMENT WITH
THE COUNTY OF OCEAN FOR A DWI GRANT
FOR FY 2021/22**

Mr. Peterson moved, second by Mrs. Taylor that Resolution #176-21 be approved as read. It was so moved by the unanimous consent of Council.

Mr. Vreeland moved, second by Mr. Colangelo that the governing body approve a driver, Christina Falcetano, for Main Street Taxi Service. It was so moved by the unanimous consent of Council.

Mr. Vreeland moved, second by Mr. Peterson that the governing body accept with regrets the resignation of Barbara Brojack from the Tuckerton Historic Preservation Committee. It was so moved.

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

Anne Marie Sweeney, 600 South Green Street, presented the governing body with information regarding the Tuckerton Volunteer Fire Department and the fact that the members of the department have not been fit tested in 2021 per PEOSHA standards and that the Department of Health was meeting with the Borough Administrator and the Fire Chief to discuss this issue. She also had information from another town that had issues with the way the fire department was running in the town and the Mayor and Council of said town were able to suspend the fire department and establish a new one and lastly she stated that at one of the last Council Meetings Chief Eggert stated he was working on his EMS certification and she had paperwork that still states he has no certification to be operating as an EMT. She feels the Mayor and Council should immediately do something and remove the Eggerts from the department who are causing a liability for the Borough, because if they do not do something a lawsuit will be filed, possibly by her, against the town for the inadequate fire service.

Mr. Connors explained the governing body is doing what it can at this time, the fire department is a separate entity from the town and when it comes to the members and removing of members for cause it becomes very difficult, expensive and drawn out for a length of time because they are volunteers. At this point in time the Tuckerton Fire Department per their paperwork is getting out to the calls for service in a timely manner and per rules and regulations, so how can the governing body remove anyone if the department is doing exactly what is asked of it to do?

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.

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Mr. Colangelo moved, second by Mr. Vreeland that the meeting be adjourned.
The motion was unanimously approved at 8:08 pm.

Respectfully submitted,

**JENNY GLEGHORN, RMC
BOROUGH CLERK**

Approved:

**SUSAN R. MARSHALL
MAYOR**