

**JUNE 5, 2023**

Mayor Susan R. Marshall called the regular meeting of the Tuckerton Borough Council to order on June 5, 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, Ron Peterson and Mayor Marshall.

Mayor Marshall led the salute to the flag.

**RESOLUTION #99A-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 #99A-23 be approved as read. It was so moved by the unanimous consent of Council.

Mr. Colangelo moved, second by Mr. Vreeland to recess for executive session. It was so moved.

Mr. Colangelo moved, second by Mr. Vreeland to reconvene from executive session at 7:09pm. It was so moved.

**RESOLUTION #100-23**

**RESOLUTION OF THE BOROUGH OF  
TUCKERTON, COUNTY OF OCEAN, STATE OF  
NEW JERSEY, APPOINTING MICHAEL E. DUPUIS  
SR. TO FILL THE VACANCY ON THE TUCKERTON  
BOROUGH COUNCIL**

Mr. Colangelo moved, second by Mr. Vreeland that Resolution #100-23 be approved as read. It was so moved by the unanimous consent of Council.

Michael E. Dupuis Sr. was sworn in as a Tuckerton Borough Council Member.

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**RESOLUTION #101-23**

**RESOLUTION OF THE BOROUGH OF  
TUCKERTON, COUNTY OF OCEAN, STATE OF  
NEW JERSEY, AUTHORIZING THE SELF  
EXAMINATION OF THE 2023 MUNICIPAL BUDGET**

Mr. Martin moved, second by Mr. Vreeland that Resolution #101-23 be approved as read. It was so moved by the majority consent of Council. Mr. Dupuis abstained.

**RESOLUTION #102-23**

**RESOLUTION OF THE BOROUGH OF  
TUCKERTON, COUNTY OF OCEAN, STATE OF  
NEW JERSEY, AUTHORIZING THE READING OF  
THE 2023 MUNICIPAL BUDGET BY TITLE ONLY**

Mr. Martin moved, second by Mr. Vreeland that Resolution #102-23 be approved as read. It was so moved by the majority consent of Council. Mr. Dupuis abstained.

Mr. Martin moved, second by Mr. Vreeland opening the meeting up to the 2023 Municipal Budget Public Hearing. It was so moved by the unanimous consent of Council.

Justin Way, 4<sup>th</sup> Ave, asked where the money is in the budget for the fire department and what is there plan once the department is reinstated.

Mrs. Gleghorn stated that the money is being used for shared service right now.

Mr. Connors stated that if the fire department gets reinstated, Council can pay them whenever but right now it is being used for shared services.

Mr. Martin moved, second by Mr. Vreeland that the public comment on the 2023 Municipal Budget be closed. It was so moved.

Mr. Martin moved, second by Mr. Vreeland that the governing body approve Resolution #103-23, adopting the 2023 Municipal Budget as read. It was so moved by the majority consent of Council. Mr. Dupuis abstained.

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**RESOLUTION #104-23**

**RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF CHANGE ORDER #1 TO THE 2022 TUCKERTON BEACH LAGOON DREDGING, SOUTH GREEN STREET PARK**

Mr. Martin moved, second by Mr. Vreeland that Resolution #104-23 be approved as read. It was so moved by the majority consent of Council. Mr. Dupuis abstained.

**RESOLUTION #105-23**

**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 #105-23 be approved authorizing payment of claims in the amount of \$560,164.32. It was so moved by the majority consent of Council. Mr. Dupuis abstained.

**RESOLUTION #106-23**

**RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A CHAPTER 159 FOR THE FY 2022 CDBG MARINE STREET SIDEWALKS GRANT FROM THE COUNTY OF OCEAN IN THE 2023 MUNICIPAL BUDGET**

Mr. Martin moved, second by Mr. Vreeland that Resolution #106-23 be approved as read. It was so moved by the majority consent of Council. Mr. Dupuis abstained.

**RESOLUTION #107-23**

**RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A CHAPTER 159 FOR THE FY 2023 AMERICAN RESCUE PLAN GRANT LANDYARD LAGOON IN THE 2023 MUNICIPAL BUDGET**

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Mr. Martin moved, second by Mr. Vreeland that Resolution #107-23 be approved as read. It was so moved by the majority consent of Council. Mr. Dupuis abstained.

**RESOLUTION #108-23**

**RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A CHAPTER 159 FOR THE FY 2023 CLEAN COMMUNITIES GRANT IN THE 2023 MUNICIPAL BUDGET**

Mr. Martin moved, second by Mr. Vreeland that Resolution #108-23 be approved as read. It was so moved by the majority consent of Council. Mr. Dupuis abstained.

**RESOLUTION #109-23**

**RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF ITS “NOTE RELATING TO THE WATER BANK CONSTRUCTION FINANCING PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK”, TO BE ISSUED IN THE PRINCIPAL AMOUNT OF UP TO \$250,000 AND PROVIDING FOR THE ISSUANCE AND SALE OF SUCH NOTE TO THE NEW JERSEY INFRASTRUCTURE BANK, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH NOTE BY THE BOROUGH OF TUCKERTON IN FAVOR OF THE NEW JERSEY INFRASTRUCTURE BANK, ALL PURSUANT TO THE NEW JERSEY INFRASTRUCTURE BANK CONSTRUCTION FINANCING PROGRAM AND IN CONNECTION WITH THE 2022 REHABILITATION OF WELL #3 AND WELL #4 PROJECT**

Mr. Martin moved, second by Mr. Vreeland that Resolution #109-23 be approved as read. It was so moved by the majority consent of Council. Mr. Dupuis abstained.

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**RESOLUTION #110-23**

**RESOLUTION OF THE BOROUGH OF  
TUCKERTON, COUNTY OF OCEAN, STATE OF  
NEW JERSEY, AUTHORIZING THE DISPLAY OF  
FIREWORKS FOR THE 4<sup>TH</sup> OF JULY  
CELEBRATION**

Mr. Martin moved, second by Mr. Vreeland that Resolution #110-23 be approved as read. It was so moved by the unanimous consent of Council.

Mr. Colangelo stated that the Document Shredding Program will be in Little Egg on June 19 from 9-12pm and no registration is needed.

Mr. Colangelo stated that the Public Works Yard will be closed on Monday, June 19<sup>th</sup> and that garbage pickup will be a day late.

Mr. Colangelo stated that after the one in May at Stafford, the Household Hazardous Waste Program will also take place in Jackson, Long Beach, and Toms River. All residents must register online to participate.

**RESOLUTION #111-23**

**RESOLUTION OF THE BOROUGH OF  
TUCKERTON, COUNTY OF OCEAN, STATE OF  
NEW JERSEY, TO CANCEL EXCESS WATER &  
SEWER CHARGES FOR THE YEAR 2017 & 2020**

Mr. Colangelo moved, second by Mr. Vreeland that Resolution #111-23 be approved as read. It was so moved by the unanimous consent of Council.

**RESOLUTION #112-23**

**RESOLUTION OF THE BOROUGH OF  
TUCKERTON, COUNTY OF OCEAN, STATE OF  
NEW JERSEY, AWARDING A CONTRACT TO  
WASTEQUIP FOR THE PURCHASE OF A  
SUMPSTER AND TARP SYSTEM FOR THE PUBLIC  
WORKS DEPARTMENT**

Mr. Colangelo moved, second by Mr. Vreeland that Resolution #112-23 be approved as read. It was so moved by the unanimous consent of Council.

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**RESOLUTION #113-23**

**RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE APPROVAL OF A ROAD OPEING PERMIT ON HERON ROAD FOR BLOCK 113 LOT 53 AND GRANTING RELIEF UNDER SECTION 229-15 OF THE BOROUGH CODE**

Mr. Colangelo moved, second by Mr. Vreeland that Resolution #113-23 be approved as read. It was so moved by the unanimous consent of Council.

Mr. D'Amore motioned, second by Mr. Peterson to accept the May 15, 2023 meeting minutes as presented. It was so moved by unanimous consent of Council.

**RESOLUTION #113-23**

**RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE APPROVAL OF A ROAD OPEING PERMIT ON HERON ROAD FOR BLOCK 113 LOT 53 AND GRANTING RELIEF UNDER SECTION 229-15 OF THE BOROUGH CODE**

Mr. Colangelo moved, second by Mr. Vreeland that Resolution #113-23 be approved as read. It was so moved by the unanimous consent of Council.

Mr. Peterson reads the Police monthly activity report for the month of April 2023. A copy of which will be kept on file in the municipal clerk's office for public inspection.

**RESOLUTION #114-23**

**RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY APPOINTING A MEMBER TO THE TUCKERTON BOROUGH ENVIRONMENTAL COMMISSION**

Mr. Vreeland moved, second by Mr. Martin that Resolution #113-23 be approved as read. It was so moved by the unanimous consent of Council.

Mr. Peterson moved, seconded by Mr. D'Amore to approve a raffle license submitted by the OES for August 12th as well as waiver of fee. It was so moved.

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Mr. Peterson moved, seconded by Mr. D'Amore to approve a raffle license submitted by the Pinelands 4<sup>th</sup> of July Committee for July 6<sup>th</sup> as well as waiver of fee. It was so moved. Mr. Martin abstained.

Mr. Martin moved, seconded by Mr. Vreeland to approve a facility use permit for the Tuckerton Beach Association for South Green Street Park for the June 24<sup>th</sup>, July 8<sup>th</sup>, and August 5<sup>th</sup> for their summer concerts. It was so moved.

Mayor Marshall announced that the Borough will be moving to one meeting a month for July and August and will only be meeting on the third Monday of those months.

Brian Martin, 4<sup>th</sup> of July Committee, stated that the applications for the 4<sup>th</sup> of July parade are out and people can go on the website or to the clerk's office in Borough Hall to get one. He also stated that the Golf Outing fundraiser is this Thursday (6/8/23).

Brian Martin, Pride & Celebration Committee, state that the town wide yard sale will be on June 10<sup>th</sup> and that the map and addresses are on the Facebook page and the website.

Ellen McDowell Esq., Attorney for Tuckerton Fire Company No. 1, summarized how she perceived the hearing went as well as described why she believes Dale Eggert will get his credentials back.

Lee Eggert Sr., 121 Willow Landing Terr., stated he just wanted to add that he is not as vague on things but they just got the documentation from the State of New Jersey that verifies that the deputy fire coordinator, West Tuckerton Fire member, and member of the Republican Club, Tom McAndrew and Council Member, Frank D'Amore, who is supposed to be there liaison; If you read the transcripts they both lied to Don Nelson about what Dale did and where he was and it went through the channels from Don Nelson up to the Director of Division of Fire Safety to the Lt. Governor, Shelia Oliver who made the ultimate decision to take Dale's certifications away and it started right here in town.

Mr. D'Amore stated that the County called him and asked him if he heard that the fire department was first responding and he told them that they were out of service and wants to know how that was a lie.

Mr. Eggert stated that the documents state that Mr. D'Amore and Mr. McAndrew called Don Nelson to tell him that Dale went to the scene of an accident and wants to know who lied.

Mr. D'Amore stated that you are not in compliance and asked if they have gotten a letter from the State.

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Mr. Eggert stated that they are not going to get one because there is too much liability.

Mr. D'Amore stated we can't take on that liability ourselves and until you clear this up with the State there isn't anything else that this Council can do without absorbing all the liability itself.

Mr. Eggert stated that he can start by resigning right now Frank.

Kaylyn Ullman, Environmental Commission, thanked Mr. Colangelo for coordinating with the Little Egg Harbor Recycling Center to get a load of soil for the community garden. She also wanted to thank everyone who donated their time and supplies and seedlings they started, especially Daisy Troop 60156 who grew a ton of vegetable seeds to be planted. She also thanked Tuckerton Lumber and her three sons who helped with supplies and shouted out all the small businesses in town because they have supported them.

She stated the Tuckerton Garden Club will be meeting June 14<sup>th</sup> behind the Old Borough Hall to begin planting the Main Street Planters and wanted to thank Hands Garden Center for donating the plants for the planters.

Lastly, she stated that she is interning with Project Terrapin this summer and will be doing research on the turtles down on South Green Street and stated that if anyone has any nests in there yard and is willing to let her check them out that would be great and she is planning on hosting a nesting cage workshop and she has turtle crossing signs if anyone is interested.

Mr. McAndrew, Code Enforcement, stated that his light meter just came in to start reading how bright the lights are for the new ordinance.

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

Justin Way, Fourth Ave, stated that the response times of the companies we have shared service with suck and he waited an hour to get picked up by an ambulance from Barnegat through Mutual Aid. He stated that he need to put Tuckerton Fire Company back in service. He also stated that he recorded a couple council members during a conversation they had a couple months back where Council stated that they will not get reinstated because of their attitude and will be giving the recording to their attorney.

Sen. Connors explains what the Council has been doing in regards to the fire department.



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Robert Challender, 68 Edgewater Drive, stated that he has been going through a lot of documentation from the last 40 years for the dredging of Thompson's Creek from all different departments of state and local government and wants to know how many public services it takes to get one thing done.

Dale Eggert, 326 East Main Street, thanked the public for the support, asked if the employee that was injured on the fire truck will be back soon or if the Borough will be hiring someone temporarily to make sure all the work is still getting done, and asked if the firetrucks are being properly maintained and serviced like they are supposed to be.

Mrs. Gleghorn stated that she cannot discuss workers comp., however in the summertime the Borough always hires extra help. She also stated that all the trucks are getting all the required services and maintenance by the same company that was doing it before the Borough took them.

Mr. Eggert stated to Mr. D'Amore that he know he said the County called him and wanted to know who exactly call him because he spoke to the chief up there a couple weeks ago and there were no phone records of that call.

Mr. D'Amore stated that he does not know who called him, it was however was working that day and he testified that the paperwork was wrong at the hearing.

Eric Hansen, Martine Marina, stated that a couple weeks ago he submitted a letter requesting documentation and a response and never received anything back.

Mr. D'Amore stated that he would have to ask Jim for more information.

Mr. Hansen stated that Mr. McAndrew stated a while back that Dale Parsons has all the paperwork he needs, but when he asked for copies they would not give it to them.

Mr. McAndrew stated that is not true.

Mr. Hansen continued that Dale Parsons stated that he is protected under the Right to Farm Act however he only recently submitted the paper work to try and get protected. He wants to know if there is going to be any response from his complaint and now he is being told he has to go back to Dale again?

Mr. D'Amore stated this is a zoning issue and should be addressed with Phil Reed.

Mr. Hansen stated that he would like a response before June 14<sup>th</sup> because that is when Dale Parson is going before the Ocean County Planning Board and he does not want to go in blind. Mr. Hansen also pointed out that the Borough has an ordinance that regards public health and safety but only applies to Tuckerton Owned property and not sure why and thinks this should apply to Dale Parsons property.

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Sen. Connors stated that the zoning officer is the correct place to bring your complaint. The governing body cannot tell the zoning officer what to do. If you do not agree with the zoning officer's decision, you can appeal it but it will take you in front of the zoning board.

Mr. Hansen said he did that and has heard nothing and is losing thousands of dollars a week because of it.

It was determined that he needs to bring his concerns to the zoning officer and not Council.

Resident from Little Egg Harbor, asked if there are going to be any road repairs at the intersection of Route 9 and Center Street because he believes it's very hazardous.

Council stated that the County changed it after they did a traffic study there.

Nina Howard, 210 North Green Street, stated that she was hit by a car and wants better signs because the ones we have now are not clear.

Deborah McMunn, 83 Dolphin Road, asked if we can put a "no turn on red" sign at the intersection of North Green Street and Route 9.

Mrs. Gleghorn stated that they used to have a sign that was "no turn on red" at certain times.

Mr. Martin stated that he is going to ask about a sign at the intersection of Great Bay Boulevard and Route 9 and will also ask about this intersection.

Mr. Dupuis states that there are a lot of places in town that should have signs.

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 8:33pm.

Respectfully submitted,

Approved:

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**JENNY GLEGHORN, RMC  
BOROUGH CLERK**

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**SUSAN R. MARSHALL  
MAYOR**