

TOWNSHIP OF BERKELEY
PLANNING BOARD

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4 IN THE MATTER OF:
5 SOUTH SEASIDE PARK HOMEOWNERS
6 AND VOTERS ASSOCIATION
7 DE-ANNEXATION PETITION HEARING

8 Pinewald Keswick Road
9 Bayville, New Jersey
10 Thursday, April 2, 2015
11 8:15 p.m.

12 B E F O R E:

- 13 Robert Winward, Chairman
- 14 Brian Gingrich, Member
- 15 John Bacchione, Councilman
- 16 Thomas Guarascio, Member
- 17 Frederick Bell, Member
- 18 Domenick Lorelli, Member
- 19 Nick Mackres, Member

20 -----
21 LINDA SULLIVAN-HILL & ASSOCIATES
22 CERTIFIED COURT REPORTERS
23 46 SOUTH LAKEVIEW DRIVE
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25 (732) 833-0001

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2 APPEARANCES:

3 DASTI MURPHY, MCGUCKIN, ULAKY,
4 CHERKOS & CONNORS, ESQS.
5 620 W. Lacey Road
6 Forked River, New Jersey 08731
7 BY: GREGORY MCGUCKIN, ESQ.
8 Attorneys for the Board

9 O'MALLEY, SURMAN & MICHELINI, ESQS.
10 17 Beaverson Blvd.
11 Brick, New Jersey 08723
12 BY: JOSEPH MICHELINI, ESQ.
13 Attorneys for the Petitioners

14 ALSO PRESENT:

15 Kelly Hugg, Secretary
16 Ernie Peters, Engineer
17 James Oris, Planner
18 Stuart B. Wiser, Planner

1 MR. WINWARD: All right. Good
2 evening. Proceed.

3 MR. MICHELINI: Joseph Michelini from
4 O'Malley, Surman & Michelini on behalf of the
5 petitioner signers for de-annexation. I'd like to
6 continue tonight with the testimony of lay
7 individuals and Ms. Cathy Fulcomer. Ms. Cathy
8 Fulcomer had testified previously. I'll continue
9 with her testimony. She is already sworn. So, if
10 we can, we will proceed with her at this time.

11 CATHY FULCOMER, previously sworn.

12 EXAMINATION BY MR. MICHELINI:

13 Q Okay. Last time you were here,
14 Ms. Fulcomer, you were testifying about the
15 condition of the beaches. And we identified certain
16 exhibits, A-6 and A-7, regarding the -- showing the
17 South Seaside bayside beach and its condition, which
18 you highlighted as showing certain debris and then
19 comparing that with bayside beaches in Seaside Park.
20 Do you recall that testimony?

21 A Yes.

22 Q I'm not going to go over that but
23 we'll continue in that theme. Do you have
24 additional boards that you prepared, exhibits,
25 relating to condition of beaches in the Township of

1 Berkeley?
 2 A Yes. What I thought I would do is
 3 take a look at some of the beaches on the bayside in
 4 the Bayville area across the bay from South Seaside
 5 Park to see what facilities --
 6 VOICE: Can't hear her too good.
 7 Q Why don't you come over here.
 8 A All right. Yeah. I'll use the mike.
 9 Thank you.
 10 I decided -- what I decided to do was make a
 11 comparison to see how the beaches on the Bayville
 12 side were like. And I visited several. And I took
 13 some pictures.
 14 Q Okay. So, let's have those marked.
 15 A Oh, okay.
 16 (The Photo board was marked as A-8
 17 for identification.)
 18 (Off the record.)
 19 Q I'm going to show you an exhibit
 20 which has been marked A-8 and ask you if it's an
 21 exhibit of pictures that you took.
 22 A Yes, I did take these pictures. I
 23 took them --
 24 Q What do they -- how long ago did you
 25 take them?

1 A These last few weeks you can see from
 2 the snow.
 3 Q All right. So --
 4 A I took advantage of the postponement
 5 of the meeting to do a little bit more work on this.
 6 Q Okay. So, in the last month or so?
 7 A Right.
 8 Q Okay. After the last meeting that we
 9 were here for?
 10 A That is correct. Two months ago.
 11 Q Okay. And what do these particular
 12 pictures show on A-8? First of all, why don't you
 13 read the heading at the top and then describe for us
 14 what the pictures show.
 15 A All right. South Seaside Park has no
 16 bayside park. But the mainland portion of Berkeley
 17 Township has bayside parks and a large riverside
 18 park called William Dudley Park. I took pictures of
 19 that down but they're in the lower level.
 20 Q So, when you say, the lower level,
 21 are the bottom --
 22 A Of the -- yes.
 23 Q Let's just, for the record, A-8 is an
 24 exhibit of photos, the bottom half which has six
 25 photos.

1 A Correct.
 2 Q Are they all of Dudley Park?
 3 A Correct.
 4 Q Okay. And that's a mainland park,
 5 correct?
 6 A Yes.
 7 Q Do you know where it's located?
 8 A It's off of Route Nine. It has a
 9 sign, Dudley Park.
 10 Q Near Cedar Creek, correct?
 11 A Right.
 12 Q Okay. Then the top photos, what do
 13 they show, the top four?
 14 A They are the photos of the Butler
 15 Park at the end of Butler.
 16 Q Butler Boulevard?
 17 A Butler Boulevard.
 18 Q It says Butler Avenue but it should
 19 be Butler Boulevard, correct?
 20 A But it's Butler Boulevard, right.
 21 Q What was the purpose of you showing
 22 these pictures and taking these pictures?
 23 A I wanted to show that these beaches,
 24 in quite a different contrast to our one little bay
 25 beach in South Seaside Park, are clean. Even though

1 it was the winter, I didn't see any rusty pipes. I
 2 saw little things that children could ride on. I
 3 saw a picnic table and place to put your refuse,
 4 your garbage. And I thought that it was rather a
 5 nice place to go. And then --
 6 Q Okay.
 7 A -- my purpose in looking at the
 8 Dudley Park, I heard -- well, I saw on the internet
 9 that was quite a big park. So, I noticed they have
 10 a roller hockey. They have a pavilion. They have a
 11 nice playground. Nice beach with, again, facilities
 12 for children to play on, picnic tables. And the
 13 roller rink is in the background.
 14 Q Okay. And do any of those amenities
 15 exist in the beach area of South Seaside Park on the
 16 bayside?
 17 A No, they do not.
 18 Q Okay. Anything else you want to say
 19 about this --
 20 A No.
 21 Q -- particular exhibit?
 22 A I just wanted to illustrate that it's
 23 kept very nicely where ours is unkempt.
 24 MR. MICHELINI: Okay. Let's go to
 25 the next exhibit. We'll have that marked.

1 (The Photo board was marked as A-9
2 for identification.)
3 Q This has been marked as exhibit
4 number nine. Again, these are a series of
5 photographs. Did you take these photos?
6 A Yes, I did.
7 Q What is -- let's see. We got one
8 two, three, four, five, six, seven, eight, nine, 11
9 photos on this sheet, correct?
10 A Right.
11 Q And what are these photos of?
12 A I visited the Allen Road Park.
13 Again, that is on the Bayville side. And I saw
14 parking places. And one of the things that
15 impressed me, there are one, two, three pictures of
16 park benches and a nice little conversation area,
17 little gathering area of park benches made out of
18 that rather indestructible material as opposed to
19 being wooden and splintery. So, nice park benches.
20 Again, to me, when I saw it, clean looking beach.
21 Boardwalks so that people could walk. And a sign
22 that is very clear saying what the rules and
23 regulations for the park are.
24 Q And what was your purpose in showing
25 this, these photographs?

1 A Again, to contrast that care is given
2 here. There are benches for people's enjoyment.
3 And it is -- it is a clean beach, which -- and
4 cleanliness means safety. Because at my
5 previous testimony, all those, the debris and the
6 rusty pipes are not safe for either adults or
7 children. So, this was a nice park.
8 Q On the bayside beach in South Seaside
9 Park, are there any such benches?
10 A No.
11 Q Is there any sitting area?
12 A No.
13 Q Is there a boardwalk area or any kind
14 of a ramp?
15 A No.
16 Q Okay. And are there trash
17 receptacles?
18 A No.
19 Q And are there parking spaces, as
20 you've shown in one of the photos?
21 A No.
22 Q Thank you. Anything else that you
23 want to mention with regard to A-9?
24 A No.
25 Q Then continuing on to A-10, what will

1 be A-10.
2 MR. MICHELINI: Could we have that
3 marked, please?
4 (The Photo board was marked as A-10
5 for identification.)
6 Q Incidentally, A-9 also, those photos
7 were taken since the last hearing, correct?
8 A Yes. Correct.
9 Q So, A-10, are these also -- appear to
10 be seven photos. Did you take these photos?
11 A Yes, I did.
12 Q And you took those since the last
13 hearing as well?
14 A Before the last hearing. I didn't
15 have time to show those.
16 Q Okay. All right. But these were all
17 taken by you --
18 A Yes.
19 Q -- over this past winter?
20 A Yes, oh, definitely.
21 Q And can you tell us what A-10 shows
22 and your purpose in making it?
23 A First I'll mention the purpose. The
24 purpose is to show what Seaside Park provides for
25 its residents in terms of recreational facilities,

1 softball field and tennis courts.
2 Q You're referring to the top --
3 A Yeah.
4 Q -- two pictures?
5 A Yes, these. Yeah. That's the
6 softball field.
7 Q These are in Seaside Park?
8 A Those are right across -- this is
9 14th Ave -- 14th Street and it's right across from
10 that.
11 Q Okay. When you say 14th Avenue, so
12 that --
13 A Yeah.
14 Q -- is on the border, essentially,
15 of --
16 A Right.
17 Q -- South Seaside Park, correct?
18 A Right. Uh-hum.
19 Q And how far is this softball field
20 and these tennis courts and the playground on 14th
21 Street, how far is that from where you live?
22 A Five blocks.
23 Q Okay. So, you can walk there,
24 correct?
25 A Oh, definitely.

1 Q And so, you show those pictures.
 2 What was the point of showing those pictures?
 3 A To show that they have nice
 4 facilities for their residents. And they have also
 5 on the bottom, the public works department is close
 6 by. And the recycling center is there also, which
 7 Seaside Park graciously allows all of us to use.
 8 Q So, with regard to the softball field
 9 and the tennis courts and the playground that are
 10 shown in the top pictures, do any of those amenities
 11 exist within the area known as South Seaside Park?
 12 A No.
 13 Q So, you don't have any similar type
 14 of areas, correct?
 15 A No. We have at the end of the -- at
 16 24th Street, we have one basketball court.
 17 Q Okay. Other than that?
 18 A That's it.
 19 Q Okay. And with regard to the bottom
 20 pictures, you say the public works department is
 21 shown here in Seaside Park. How far away is that
 22 from your home?
 23 A Again, this is five blocks walking
 24 from my house. One, two, three, four. Yeah, about
 25 five blocks. Uh-hum.

1 Q And you utilize these facilities?
 2 A Oh, yes. Yes, I do.
 3 Q So, your -- what type of use do you
 4 have for those facilities? Recycling? Anything
 5 else?
 6 A I can drop off paint at the public
 7 works department. They allow us to do that for
 8 proper discard. And, of course, I have -- well, my
 9 children are now grown, but I have seven
 10 grandchildren. And they can make use of these other
 11 facilities.
 12 Q Okay.
 13 A And they have.
 14 Q All right. So, your family utilizes
 15 facilities and identifies, essentially, with the
 16 amenities that are provided within the Borough of
 17 South --
 18 A Yes.
 19 Q -- Borough of Seaside Park, correct?
 20 A Yes. As I said at the last meeting
 21 when I was testifying, when I showed the pictures of
 22 the beautiful playground they have in Seaside Park.
 23 I've been buying beach badges there since my own
 24 children, the youngest being 32, and still been
 25 buying beach badges.

1 Q So, if you want to utilize any of the
 2 amenities in South Seaside Park, such as the beach
 3 there, you have to buy a beach badge for South
 4 Seaside Park? You have to utilize --
 5 A Yeah, of course.
 6 Q To utilize the amenities in
 7 Seaside Park, do you also have to buy badges there?
 8 A Yes.
 9 Q Okay. So, you buy badges in two
 10 towns; is that correct?
 11 A Well, yes. Yes, you do have to buy
 12 them. Now that I'm a senior, I get mine, you know,
 13 for free in Berkeley. But I wanted to be absolutely
 14 correct on that.
 15 Q What about grandkids?
 16 A Oh, they would have to purchase them.
 17 I mean, I would have to purchase them, being Grandma
 18 has to buy, do all the buying. You all know that.
 19 MR. MICHELINI: Okay. All right. If
 20 we can have the next exhibit marked. Looks like it
 21 will be A-11.
 22 (The Photo board was marked as A-11
 23 for identification.)
 24 Q Okay. I want to show you what's been
 25 marked A-11. Are these -- there's a series of four

1 photographs and some crows highlighted in dark
 2 print. Some writing in dark print on A-11.
 3 Did you take these photos?
 4 A Yes, I did.
 5 Q And tell us what they are. When did
 6 you take them, first of all?
 7 A Well, this is the winter of
 8 2012/2013. And the reason I still had copies of
 9 these is, I did bring them to a city council meeting
 10 after that snowstorm, because it shows the very well
 11 plowed and clean portion, okay.
 12 Q Well you're referring --
 13 A Of Seaside Park, yeah.
 14 Q For the record, you're referring, I
 15 would imagine, to the three photos on the right; is
 16 that correct?
 17 A Right. That's correct right now,
 18 yeah.
 19 Q And there is a clear dark road. What
 20 road is that, if you recall?
 21 A Well, yeah. This is the 14th Avenue
 22 and Bayview.
 23 Q Okay. So --
 24 A Fourteenth -- well, testimony, I
 25 can't be pointing.

1 Q Well, are you --
 2 A But it -- it shows that Bayview
 3 Avenue is very well plowed in the Seaside Park
 4 portion and not well plowed in the South Seaside
 5 Park portion.
 6 Q Is it even plowed at all in the South
 7 Seaside Park portion? Can you tell?
 8 A No, it isn't, really, no. That's --
 9 but I was able to get through with the car. And
 10 that's why I decided to take the pictures.
 11 Q So, this is a picture -- these three
 12 pictures on the right are pictures looking south on
 13 Bayview Avenue --
 14 A Yes.
 15 Q -- is that correct?
 16 A Yes.
 17 Q So, you're standing in
 18 Seaside Park --
 19 A Right.
 20 Q -- while you're taking the pictures?
 21 A Correct.
 22 Q So, the road in front of you where
 23 you're standing is clear?
 24 A Right.
 25 Q And then as you move ahead across

1 14th Street, you're looking into, on these three
 2 pictures, into South Seaside Park; is that accurate?
 3 A Correct, yes.
 4 Q And where the snow begins is where
 5 South Seaside Park -- and it's unclear where South
 6 Seaside Park begins, correct?
 7 A Right.
 8 Q And how long after the snowfall was
 9 this, do you know? The next day? Two days?
 10 A I think it was the next day I went
 11 out, yes, next day.
 12 Q Do you know if the roads --
 13 MR. WISER: What was the date of
 14 the -- I'm sorry. What was the date of this snow or
 15 the year?
 16 THE WITNESS: See, this, I -- the
 17 only thing I can tell you is, if you go back in the
 18 city council minutes, that's probably when I
 19 reported it. I always passed around the pictures to
 20 council members.
 21 Q You testified, though, that it --
 22 A It's between 2012/2013. It was that
 23 winter.
 24 MR. WINWARD: Is that a township road
 25 or a county road?

1 THE WITNESS: Bayview is --
 2 VOICE: County.
 3 THE WITNESS: -- a -- county? I
 4 don't know.
 5 MR. WINWARD: Seaside Park is county.
 6 THE WITNESS: In Seaside Park, it's
 7 County.
 8 MR. WINWARD: County. And in South
 9 Seaside Park, it's town.
 10 THE WITNESS: It's town. Okay.
 11 Mr. Whiteman knew the answer. I did not.
 12 BY MR. MICHELINI:
 13 Q So, it's --
 14 A But yeah. Yeah.
 15 Q -- your understanding from
 16 Mr. Whiteman, it's not your own understanding --
 17 A Uh-hum.
 18 Q -- is that in Seaside Park, it's a
 19 county road where it's clear --
 20 A Uh-hum.
 21 Q -- and where it's not clear it's a
 22 township road in South Seaside Park --
 23 A Correct.
 24 Q -- in Berkeley Township, correct?
 25 A Correct.

1 MR. MCGUCKIN: This is the winter of
 2 2012/2013 you took that?
 3 MR. MICHELINI: Correct.
 4 THE WITNESS: Yes.
 5 MR. MICHELINI: That is correct.
 6 MR. MCGUCKIN: Right after Sandy,
 7 that winter?
 8 MR. MICHELINI: That would be --
 9 THE WITNESS: Uh-hum. Yes, it would
 10 be.
 11 MR. MICHELINI: -- after that?
 12 That's correct.
 13 MR. MCGUCKIN: Thank you.
 14 Q And was that at a time after Sandy
 15 when you had access?
 16 A Yes. Yes.
 17 Q Okay. So, this is well after Sandy
 18 to the point that there was access?
 19 A Moved back in December of 2012.
 20 Q Okay. So, this would have been after
 21 you moved back in in --
 22 A Right.
 23 Q -- December of 2012, correct?
 24 A Correct. All right.
 25 Q Okay. There's another photograph on

1 the lower left-hand part of A-11. Can you tell us
 2 what that is?
 3 A Yes, that -- on the regular bulk day,
 4 which is the second -- which was the second Tuesday
 5 of the month, all right, in March, was our regular
 6 bulk day. But things were not picked up. And I
 7 went to a council meeting and -- no, I'm sorry. I
 8 made a mistake on that. That would be the December
 9 bulk day.
 10 I went to a council meeting. I called first.
 11 Still wasn't picked up. I went to a council
 12 meeting. Our mayor wrote it down. And about a week
 13 later, the suitcase was picked up, so --
 14 Q Now, this indicates that it was in
 15 2014 --
 16 A I mean 2014 would have been. See,
 17 that's what happens when two months go between
 18 meetings. It was -- I would have to look at the
 19 calendar. It's this year. My Christmas decoration
 20 was up.
 21 Q That's your house?
 22 A And I did call, yeah.
 23 Q That's your house in the picture?
 24 A 2014 trash that was picked up weeks
 25 after the pickup date. I did go to the council

1 meeting. Our mayor wrote it down. He said it would
 2 be picked up the next day. It was picked up about a
 3 week after that.
 4 Q Okay. With regard to the other
 5 pictures that you testified, are you able to go back
 6 and look in your records and nail down the dates so
 7 that we don't have a lot of confusion about that?
 8 You said you can look in the council meeting.
 9 A I would have to go through council
 10 minutes myself.
 11 Q Would you do that the next time?
 12 A I'd be willing to do that, certainly.
 13 Q All right. So, the next time we come
 14 back --
 15 A Yeah.
 16 Q -- we can clarify exactly when those
 17 photo were taken because --
 18 A I'd have to go through all the
 19 council minutes, yeah.
 20 Q Okay. All right. I'd ask you to --
 21 A Because I'm sure it would be recorded
 22 that I said something --
 23 Q I would ask you to do that?
 24 A -- and passed out.
 25 MR. WINWARD: It would be on the

1 tape.
 2 THE WITNESS: It would be on the
 3 tape, yeah.
 4 Q All right. Anything else that you
 5 want to mention from A-11?
 6 A No.
 7 MR. MICHELINI: Okay. And then we'll
 8 have this one marked.
 9 (The Photo board were marked as A-12
 10 for identification.)
 11 Q Okay. And this is marked A-12. Are
 12 these -- there's three photos and some writing that
 13 you put together, correct?
 14 A Yes.
 15 Q You took these photos?
 16 A Yes, I did.
 17 Q And how long ago did you take these?
 18 A These were taken prior to the meeting
 19 that we were supposed to have and we didn't have.
 20 Q Okay. The last meeting got canceled.
 21 A Yeah, right. It was prior to the
 22 March meeting.
 23 Q All right. But after the February
 24 meeting --
 25 A Right.

1 Q -- when we were here.
 2 A Right.
 3 Q So, they're recent pictures?
 4 A Right.
 5 Q That's fine.
 6 A Okay.
 7 Q Okay. And what do those pictures
 8 depict?
 9 A These pictures depict the idea that
 10 on the barrier island in two communities, there is a
 11 police substation.
 12 Now, when I first purchased a home in South
 13 Seaside Park, we did have a police substation right,
 14 kind of attached to the Citta's Real Estate office
 15 at Midway Beach. It was there. And it was
 16 abandoned after awhile. They ended it. But after
 17 listening to testimony and becoming aware about
 18 police protection in South Seaside Park, I decided
 19 to see what other communities on the barrier island
 20 had a substation. So, this is the picture of a
 21 police substation.
 22 Q When you say this, you're referring
 23 to the picture on top.
 24 A The picture on the top left, yes.
 25 Q Okay. What substation is that?

1 A That is in what is called Ortley,
2 which is really Toms River. And it's in the A&P
3 parking lot.
4 Q All right. So, that is on the
5 barrier --
6 A Right.
7 Q -- peninsula, correct?
8 A Right. Correct.
9 Q And that services the Ortley Beach
10 section of Toms River Township --
11 A Yes, it does.
12 Q -- correct?
13 A Yes. Uh-hum.
14 Q What are the other photos? What do
15 they depict?
16 A The other photos is really the same
17 substation. It's just that I took a picture,
18 including a sign, and then slightly to the left of
19 the sign. But in Brick Township, this is the Brick
20 Township police station substation.
21 Q And there is no substation in South
22 Seaside Park --
23 A South Seaside Park.
24 Q -- correct?
25 A We no longer have one.

1 Q Right.
2 A And police protection is a concern of
3 ours --
4 Q Okay.
5 A -- of mine anyway.
6 Q And South -- if South Seaside Park
7 were to become part of Seaside Park, of course, you
8 would be in Seaside Park which would then be
9 responsible for police protection, correct?
10 A Yes. Yes.
11 Q Okay. How far away is the police
12 department in Seaside Park?
13 A About a half a mile.
14 Q All right. And --
15 A It's about 25 minute walk. Twenty,
16 25 minute walk. Half a mile.
17 Q And the Berkeley Township officers
18 currently respond from what area, if you know?
19 A There was testimony about that at the
20 last meeting.
21 Q I don't want you to --
22 A They respond from --
23 Q If you know.
24 A Yeah.
25 Q If you know, you can say. If you

1 don't know, you don't --
2 A I have it in my notes but I have to
3 get out my notes because --
4 Q Okay.
5 A -- yeah, I would have to get out
6 notes on that. But I know that we, up until
7 recently, I wasn't at the last council meeting when
8 maybe someone else was going to be hired for the
9 summer, or two people. So, I wasn't there. But we
10 just had that one police officer. And the point
11 is -- I want to make a statement for the planning
12 board. The point is, we are really dependent, our
13 lives are quite dependent on the goodness of
14 Seaside Park, mostly because and all because they're
15 the closest people to take care of an emergency
16 unless, of course, there's a patrol car right in the
17 area from Berkeley. So, we are very dependent on
18 Seaside Park for both fire and for police
19 protection.
20 Q All right. I just, as a general
21 statement, you're not making a comment about the
22 police officers themselves?
23 A Oh, no, no, no.
24 Q They do a wonderful job, I assume --
25 A I wave to them. We wave. We talk.

1 No problem.
2 Q I assume that they do the best that
3 they can do and --
4 A Of course.
5 Q -- they're very good people.
6 A Of course, yeah.
7 Q All right. I want to make it
8 clear --
9 A Oh, no. Of course not.
10 Q -- we're not denigrating the
11 police officers --
12 A No, no, no, no, no. Absolutely not.
13 Q -- we're just talking about the
14 current situation.
15 (Off the record.)
16 MR. MICHELINI: You have to wait till
17 I finish before you --
18 THE WITNESS: Oh. He said/she said.
19 BY MR. MICHELINI:
20 Q We're not denigrating the police
21 department.
22 A Yeah, I want to make one point about
23 this, too. My entire testimony, I'm just speaking
24 for myself. Not, you know, not for the organization
25 or anything. But all of my testimony, all of my

1 feelings going back to 1972, when I did participate
2 in the de-annexation movement, starting in '72, it
3 has nothing to do with -- yeah, yeah, out of
4 practice -- nothing to do with personalities.
5 Nothing to do with administrations. Administrations
6 come and go. People come and go because of
7 elections, resignations, health, all kinds of
8 reasons.

9 This testimony I'm giving just is my
10 viewpoint that has to do with really two things.
11 The distance and the culture of the community of
12 South Seaside Park in contrast to Berkeley.

13 So, I have some other things I'd like to talk
14 about.

15 Q What would you like to talk about?

16 A Okay. Some of my feelings about
17 living in South Seaside Park, I -- one of the
18 benefits, I guess, in not going first is, you hear
19 other things that precede you. And one of the
20 questions -- and I assume when someone asks a
21 question, it's not totally rhetorical. So I would
22 like to answer from my own experience and my own
23 point of view.

24 One question was, well, if you -- how would
25 things change? Because if you became part of

1 Seaside Park, you can go to some of their
2 activities, their dinners, their parties, their
3 sporting events. But you can also go now. So, how
4 would that change? Well, it's quite, really quite
5 simple. If we became part of Seaside Park, we'd
6 become voters in Seaside Park. And when we would go
7 to their township council meeting, we would be a
8 constituent. And what we would say would have a
9 great deal of weight. And while I'm talking about
10 political --

11 Q Well, let me ask you --

12 A Okay.

13 Q -- why do you think it would have
14 weight?

15 A Because you're a voter and the
16 statistics on the percentage of people who vote in
17 both towns, the size of the towns is different. And
18 I was going to explain that.

19 Q Well, go ahead and explain.

20 A Okay. I'm in ward one, district
21 three of Berkeley. Now, I'm going to give you a few
22 statistics. And I'll interpret them and I'll give
23 you some percentages. There's 431 registered voters
24 in South Seaside Park. In my entire ward one
25 district three, there's 6,983 voters.

1 Q Okay. That's the ward in which you
2 currently live, correct?

3 A Right. So, we are six percent of
4 ward one, district three voters. So, when you
5 combine --

6 Q Let me ask you --

7 A Oh, sorry.

8 Q -- that ward, obviously, includes
9 much of the mainland or all of the mainland --

10 A It --

11 Q -- except for 431 registered voters,
12 correct, or Pelican Island?

13 A It also includes Pelican Island --

14 Q Okay.

15 A -- yeah, to be accurate. But I
16 didn't include, because Pelican isn't part of our
17 de-annexation.

18 Q Right. So, that 6,983 registered
19 voters would be 431 from South Seaside Park?

20 A Right.

21 Q Some from Pelican Island? And then I
22 would surmise would be, the vast majority, would be
23 from the mainland. Would that be correct?

24 A Correct. Yeah.

25 Q Okay. All right. Go ahead.

1 A All right. So --

2 MR. GINGRICH: Through the Chair?
3 Through the Chair?

4 MR. WINWARD: Yes, go ahead, Brian.

5 MR. GINGRICH: Yeah, that's fine if
6 you're giving how many voters. But how many vote?

7 THE WITNESS: It varies with every
8 election, as you would well know.

9 MR. GINGRICH: In other words, you
10 can't say that there's 431 voters --

11 THE WITNESS: Registered voters.

12 MR. GINGRICH: -- and 431 vote.

13 THE WITNESS: Registered voters.

14 Registered.

15 MR. GINGRICH: But you can't say that
16 431 vote.

17 MR. MICHELINI: No, the point is --

18 THE WITNESS: No, registered.

19 MR. GINGRICH: Okay. No, that's --

20 THE WITNESS: That's what I said.

21 It's on my notes.

22 MR. GINGRICH: That's my point.

23 That's all.

24 THE WITNESS: Registered.

25 MR. GINGRICH: Thank you.

1 THE WITNESS: Okay.
 2 BY MR. MICHELINI:
 3 Q For clarification purposes, you're
 4 not saying that all the people in the ward, the
 5 6,983 actually vote? You're not saying that?
 6 A Of course not.
 7 Q Okay.
 8 MR. GINGRICH: Well, that's what it
 9 sounds like.
 10 MR. MICHELINI: Well, no, we're not
 11 saying that.
 12 THE WITNESS: No.
 13 Q But in terms of -- what are you
 14 saying, utilizing those statistics?
 15 A What I'm saying is, percent wise, if
 16 you take the voters, the registered voters in
 17 Seaside Park --
 18 Q Well --
 19 A -- and you put our voters --
 20 Q Go ahead.
 21 A -- registered voters with that, that
 22 would give our community 25 percent of the voters in
 23 South Seaside Park, registered voters in South
 24 Seaside Park and Seaside Park combined.
 25 Q So, let me --

1 A So, our --
 2 Q -- just clarify that before you go
 3 on.
 4 A Okay.
 5 Q So, currently, you represent
 6 six percent of a single ward; is that correct?
 7 A Yes.
 8 Q So, six percent is of only one ward
 9 in Berkeley Township, in terms of when I say you,
 10 that's the 431 registered voters from South Seaside
 11 Park?
 12 A Yes.
 13 Q But if you were to take those 431
 14 registered voters and if they were to become part of
 15 Seaside Park, you're saying they would represent
 16 approximately 25 percent of all of the registered
 17 voters of the entire town of Seaside Park? Is that
 18 what you're saying?
 19 A South Seaside and Seaside combined --
 20 Q If they were combined, correct?
 21 A Yes, right.
 22 Q So, the South Seaside Park registered
 23 voters, the 431, would then comprise approximately
 24 25 percent of all of the voters in what would be a
 25 new town or new area?

1 A Correct. New, yeah.
 2 Q Okay. Seaside Park and South Seaside
 3 Park?
 4 A My point --
 5 Q Not just the ward, correct? So, what
 6 is your point?
 7 A My point, again, is that when one is
 8 a constituent and a registered voter and one comes
 9 before the council meeting, like there was
 10 discussion at the last meeting we had over, I don't
 11 know, basketball courts, all kinds of things and,
 12 you know, you can't have this or you should have
 13 that, but when you are actually a constituent of
 14 that community, expressing a concern whether you
 15 wanted another basketball court or whether you
 16 wanted your beach cleaner, I mean, I can go to a
 17 Seaside Park meeting and everyone would be polite,
 18 as everyone usually is, but, you know, you do have
 19 more clout -- let's use that political word clout --
 20 when you are a member of that community. And that,
 21 I think, is kind of a no brainer.
 22 EXAMINATION BY MR. MCGUCKIN:
 23 Q So, let me ask you a question on
 24 that. So, one of the reasons that you're seeking to
 25 de-annex to South Seaside Park is because the

1 registered voters of South Seaside Park would then
 2 become a 25 percent voting block and have a bigger
 3 clout in Seaside Park of the vote --
 4 A No, the percentages don't concern me.
 5 What concerns me is, I would be a voter in the area
 6 where I live.
 7 Q You testified that you would become
 8 25 percent, that the South --
 9 A But that's not my purpose.
 10 Q Let me finish my question, ma'am,
 11 please. Let me finish.
 12 A Okay. I just don't like being
 13 misquoted or twisted around.
 14 Q I'm not trying to misquote you.
 15 A Okay.
 16 Q I believe you testified --
 17 A Yes, I sure did.
 18 Q -- that if South Seaside Park was
 19 combined with Seaside Park, the residents, the
 20 registered voters of South Seaside Park would make
 21 up 25 percent of the registered voters of a new
 22 combined Seaside Park and South Seaside Park,
 23 correct?
 24 A Yes.
 25 Q And you indicated that that would

1 give you more political clout to be 25 percent of
 2 the voting, registered voters in a new combined
 3 Seaside Park, as opposed to six percent of your
 4 ward, which is one-fourth of the Township of
 5 Berkeley.

6 A Well, I have to see the transcript.
 7 But you don't necessarily have to put those two
 8 sentences together and those two facts together.
 9 The point is, once again, where I live, the beach
 10 where I live, the recreational facilities that I
 11 make use of --

12 Q I'm sorry. We had that testimony.
 13 I'm only asking --

14 A Yes.

15 Q -- about your quote and your comment
 16 that this would give you more political clout. And
 17 I just want to make sure --

18 A As a voting resident me, me, I'm
 19 speaking for Cathy Fulcomer, not for --

20 Q Okay.

21 A -- the amorphous, whatever the
 22 25 percent are. I'm speaking for me.

23 Q We can go on all night. I don't
 24 intend to do that. I just want to --

25 A Right.

1 Q -- make sure I understand this. You
 2 testified that South Seaside Park residents would
 3 then make up 25 percent of the registered voters of
 4 Seaside Park; is that correct?

5 A From -- it's approximately correct --

6 Q Approximately correct?

7 A -- if you do the math and you round
 8 things off, yes.

9 Q Your testimony is, that would give
 10 you clout in Seaside Park, which you don't have in
 11 Berkeley Township. That was --

12 A I didn't say which we don't have in
 13 Berkeley.

14 Q But you said --

15 A I didn't say that.

16 Q Okay. But your testimony was, it's
 17 six percent of the voters in ward three. And you're
 18 comparing that to 25 percent --

19 A Right.

20 Q -- of the registered voters in all of
 21 Seaside Park?

22 A Correct.

23 MR. MCGUCKIN: Thank you.

24 FURTHER EXAMINATION BY MR. MICHELINI:

25 Q So, that would give you a greater

1 voice. Let's use the word voice. You feel that you
 2 would have a greater voice in terms of being heard
 3 with your neighbors who are also registered voters,
 4 rather than what you have now in Berkeley
 5 Township --

6 A Yes, but --

7 Q -- would that be accurate?

8 A Yes, but I am speaking just for me.
 9 I can't speak for the organization.

10 Q Okay.

11 A I'm not -- I don't have that
 12 authority. Not even an officer.

13 Q Okay. What else would you like to
 14 tell this board?

15 A Okay. There was an inquiry, too, in
 16 the past as to why we don't live closer. Why we
 17 live over there as opposed to living, perhaps,
 18 closer to here, if we're stating that, gee, it's an
 19 awfully long drive or, you know, it's -- the
 20 distance is -- makes things difficult and
 21 inconvenient for us.

22 Now, to me, ever since I was a little girl,
 23 we've been coming down to this area. And the idea
 24 of being walking distance to the ocean and living on
 25 the bay was a dream. We used to stay in Sullivan's

1 Cabins on the barrier island up in Normandy. But
 2 the idea. And then when we purchased the home, you
 3 know, just as a part-time summer home at 309
 4 Roberts, and then we moved permanently to 356. And
 5 my husband would even tell you that when we left
 6 Rahway, it was a dream come true.

7 So, that, for me, is a no brainer. It's the
 8 most wonderful place in the world to be where you
 9 can actually walk right down to the ocean. So,
 10 that's why I do live there. And I, I really enjoy
 11 the culture of that particular community.

12 And while I'm speaking of the culture of that
 13 community, there is a certain culture in South
 14 Seaside Park.

15 Q What is that culture?

16 A Most people talk about the beach.
 17 How the fish are running, crabs. And it's just a
 18 wonderful jogging, walking, nature walks, island
 19 Beach State Park. And the weather. And it's just a
 20 wonderful, wonderful place to be. And, quite
 21 frankly, the only time I go to Bayville, I am on the
 22 Housing Authority -- oh, yeah, the Housing
 23 Authority. I'll mention that in a minute.

24 I'm on the Housing Authority. Most of you
 25 know that I go to city council meetings frequently

1 because I am a resident of Berkeley. But I go to
2 the council meetings and I do go for some political
3 activity.

4 If there was fundraiser for an elementary
5 school and my husband was on the Board of Ed., we
6 would go to that. But the point is, my heart and my
7 time and my neighbors and the neighbors' dogs and
8 the names of the dogs that I know, this is very far
9 away from Bayville. It's just, I don't go to
10 Bayville. I don't dine there. When I say I don't
11 go, I don't go there to dine. I don't go to
12 Bayville to recreate. I don't go to Bayville to
13 shop. I don't go to Bayville to church either.
14 Because it is a large -- it's a distance. And my
15 home, my orientation, my identity, my preference, is
16 to be in South Seaside Park and the area of Seaside
17 Park.

18 When I go to council meetings, sometimes it's
19 said -- and this is not at all a criticism -- it's
20 oh, yeah, we're going to go over there. It's almost
21 like a pilgrimage. And it is. It's a long way for
22 many people to come to our side of the bay. And
23 it's not, you know, like your neighborhood. It's
24 outside your neighborhood.

25 Q Other than culture, what would you

1 like to talk about? I apologize. I'm not feeling
2 real well tonight --

3 A Oh, I'm sorry.

4 Q -- so if I pass out here on the
5 floor, you just --

6 A Oh, don't do that with me standing.
7 I'll feel bad. And I don't know first aid.

8 MR. WINWARD: Do you have a question?

9 MR. WISER: Ma'am, before you move
10 on. Just not sure I heard you correctly. Did you
11 say your husband was on the Board of Education?

12 THE WITNESS: Yes, he was.

13 MR. WISER: He was on the Board of
14 Education?

15 THE WITNESS: His term has expired,
16 yeah.

17 MR. WISER: Okay. Thank you.

18 A Okay. All right. Another thing that
19 happened in the culture that I want to use and -- in
20 the summer in South Seaside Park, it's a very active
21 time. Grandchildren, renters, it's really very
22 crowded. And some of my grand -- well, all of my
23 grandchildren are actually here. One of my little
24 grandsons looked out the window and said, Grandma,
25 big truck outside. Okay. So, I looked out. And

1 the entire street was being dug up and resurfaced.
2 But this was in the middle of July, late July last
3 year. It was really warm, which meant for two days
4 you really -- the construction, we had no notice
5 either. There was no notice. So --

6 Q This is last July?

7 A Yes. Yes. Yeah. There was no
8 notice given. And it was Roberts Avenue south where
9 I live. And we were told, don't drive a car on it
10 just yet, you know. So, it was definitely
11 restrictive. And the reaction, understandably, with
12 some people is, gee, if they do my road, that's
13 great. However, however, in South Seaside Park, in
14 the height of the summer season, with many residents
15 and guests and people that want to be outside and
16 not smell the blacktop, we thought -- we were very
17 critical. And we weren't given notice. And that
18 was a big thing.

19 So, sometimes I feel kind of neglected.
20 Sixty percent of our permanent residents, by the
21 way, which I took from the voting list, I did quick
22 math on that, and I only took age 60 and over, so,
23 59 percent, almost 60 percent of our permanent
24 residents are senior citizens, are age 60 and over.
25 And there's no senior activities, no buses, no

1 specific things, either for children, seniors or
2 even adults in the community. There's one beach
3 party. And there -- there were a couple meetings
4 right after Sandy, which, as a group, we didn't get
5 a notice of either. Not, not, you know, not the
6 whole -- not everyone in the particular community.

7 So, I went over how the cultures. So, all
8 right. I'll just go -- I'll end it. I'll sort of
9 summarize it. My feelings about Seaside Park, it's
10 where I dine. Where I recreate. I do worship in
11 Toms River, the Presbyterian church, Toms River
12 Presbyterian Church. But a lot of our residents
13 worship at the Union Church in Seaside Park. And I
14 support their functions and their fundraisers over
15 there. I buy the beach badges. As I've said, I
16 attended the programs. I use their recycling
17 center.

18 The attitude of South -- excuse me --
19 Seaside Park to us is, they're a very good neighbor.
20 They're a sister community. And they're really a
21 lifeline for us. And as I said before, I'm not
22 going to repeat, but when I first became involved in
23 this back in the 1970s where I just owned a home
24 that I rented, I wasn't a full-time resident yet, I
25 was interested in this de-annexation movement. I

1 thought Berkeley, Seaside -- South Seaside Park
 2 being part of Berkeley then was illogical. I feel
 3 it's illogical now. The culture of South Seaside
 4 Park matches Seaside Park far more than it does
 5 Berkeley.
 6 So, thank you very much for your time.
 7 MR. ORIS: Through the Chair.
 8 THE WITNESS: Yes.
 9 MR. WINWARD: Yes.
 10 MR. ORIS: Ms. Fulcomer, so I just
 11 want to make sure I understand correctly. You had
 12 mentioned that, I guess you said you live on Roberts
 13 Avenue, South Roberts Avenue? That's correct?
 14 THE WITNESS: Yes, South Roberts.
 15 MR. ORIS: And in July --
 16 THE WITNESS: Yeah, they resurfaced
 17 the road.
 18 MR. ORIS: -- they resurfaced the
 19 road?
 20 THE WITNESS: Yeah.
 21 MR. ORIS: So, and that was over two
 22 days?
 23 THE WITNESS: Well, you could drive
 24 on it on the second day. I forget exactly when they
 25 said we could drive. But the complete hardness

1 would be in two days where it would be safe. But
 2 you had all those little black things, the little
 3 pieces of macadam, if I'm using the proper word for
 4 a black road resurfacing.
 5 MR. ORIS: Asphalt?
 6 THE WITNESS: Asphalt, yeah. There
 7 were little -- and if you had been -- if you had
 8 notification, like right then when we found out,
 9 they said, well, we're coming this way. Because my
 10 grandson saying, truck coming. You know, so my son,
 11 who wanted to go to the beach with his children,
 12 backed out of my -- come on, hurry up everybody, get
 13 out. So that we could actually do that.
 14 MR. ORIS: So, but --
 15 THE WITNESS: It was a bit of an
 16 inconvenience not to be notified.
 17 MR. ORIS: Right. But you say you --
 18 so, the road itself, though, is, you now have a
 19 newly resurfaced road, right?
 20 THE WITNESS: Yes, but the timing --
 21 MR. ORIS: So, the town, the town
 22 basically upgraded and maintained the road by
 23 resurfacing it? That's not your complaint?
 24 THE WITNESS: My complaint is --
 25 MR. ORIS: Your complaint is, you

1 didn't receive notice?
 2 THE WITNESS: -- the culture of the
 3 community, that particular culture in the summer and
 4 no notice. Those are two prongs of the complaint.
 5 And I did come to city council about
 6 it. And I get -- I get a reaction that I'm familiar
 7 with. Well, you know, they did the road.
 8 But the point is, if I'm here to try
 9 to tell you how I feel as a resident --
 10 MR. ORIS: But overall, you're --
 11 THE WITNESS: -- this is how I feel.
 12 MR. ORIS: But overall, you're
 13 satisfied with the condition of the road now?
 14 THE WITNESS: Right now, certainly.
 15 MR. ORIS: Okay. Thank you.
 16 THE WITNESS: But, again, it's my
 17 feelings and how I feel about the town and the idea.
 18 Like, when I go to a council meeting, to go further,
 19 when I go to a council meeting, much, much
 20 conversation about Route Nine. Very, very far from
 21 me. Much, much conversation about, you know, all
 22 the senior communities, which are wonderful for
 23 them, but that's very far from me. It's just a
 24 different world.
 25 BY MR. MICHELINI:

1 Q So, your point is not that the road
 2 is not good? The road is good --
 3 A Right.
 4 Q -- correct? Your point is that the
 5 timing was poor, and they didn't consider the
 6 culture of the community being a summer community,
 7 that that might have been bad timing to pave that
 8 road?
 9 A Right, and --
 10 Q And no notice, correct?
 11 A And I didn't always want to get into
 12 this, but because the -- it doesn't matter the
 13 personalities of the administration. But I do know
 14 that it was the policy of the previous
 15 administration not to do that kind of thing in our
 16 section in the height of the summer. Because you
 17 figure when some people are spending a great deal of
 18 money to rent, you know, and they're having this
 19 difficulty, you know, it's just not what we do in
 20 South Seaside Park, not what we would want to do.
 21 That's all. Thank you for your time.
 22 MR. WINWARD: You have another
 23 question?
 24 THE WITNESS: Oh, sure.
 25 MR. WISER: You've made a number of

1 references to coming to council meetings and --
 2 THE WITNESS: Yeah, I do. Yeah.
 3 MR. WISER: Just off the top of your
 4 head, doesn't have to be 100 percent accurate, but
 5 about how many times a year do you come to a
 6 meeting? Do you come to half?
 7 THE WITNESS: Since Sandy occur --
 8 well, I come very frequently, because I was active
 9 in politics. Up until these last two months,
 10 because we've been rather busy, I would say I would
 11 come almost on a monthly basis.
 12 MR. WISER: Okay.
 13 THE WITNESS: Because, and that would
 14 be in the records, because it would be in all the
 15 tapes, because, unfortunately or fortunately, I can
 16 come to a meeting not prepared to speak and
 17 something goes on and I have to say something. And
 18 very frequently, lots of things go on. I keep
 19 writing and writing and writing.
 20 So, I am a frequent visitor at a
 21 county -- I mean, I'm sorry -- at your Berkeley
 22 Township meetings. And I think the council people
 23 know that, that I was quite frequent.
 24 MR. WISER: And where do the housing
 25 authority meet?

1 THE WITNESS: The housing authority
 2 meets on Frederick Street, which is down by that
 3 shopping mall. There's a burger place on the
 4 corner, 44 Frederick. It's where the senior housing
 5 is.
 6 BY MR. MICHELINI:
 7 Q Okay. So, let me ask you a question.
 8 A Yeah.
 9 Q Let's assume for a moment that you
 10 were active in politics in Seaside Park --
 11 A Uh-hum.
 12 Q -- would it be more or less
 13 convenient for you than it's been over these last
 14 few years if you had to travel over here to come to
 15 meetings? Would it be more convenient if you were
 16 involved in politics in Seaside Park?
 17 A Of course. Certainly.
 18 Q How far away is the municipal
 19 building from your home in Seaside, South Seaside
 20 Park to Seaside Park municipal building?
 21 A There are two buildings. The
 22 meetings are held in their court building and their
 23 combination police headquarters, so that's a half a
 24 mile away. Their actual municipal building, I'm
 25 just guessing, is maybe a mile away, because that's

1 near where the boardwalk starts. And it's on Ocean
 2 Avenue. That's where you go to buy a beach badge if
 3 you don't buy it, like, at the beach. So, they do
 4 have two buildings.
 5 Q Okay.
 6 A Yeah.
 7 Q And your purpose in attending those
 8 council meetings, not talking about the housing
 9 authority but the council meetings, would you often
 10 raise issues related to the beach?
 11 A Yes. Uh-hum.
 12 Q Was that your primary purpose in
 13 attending?
 14 A Yes. But I'm -- I've been active in
 15 politics all my life. I was on city council in
 16 Rahway. And it's normal for me to do that.
 17 I just -- since you mentioned the housing
 18 authority, I just mention one other thing. These
 19 are usually delivered. But mine was mailed from the
 20 housing authority, which, because they don't want to
 21 drive all the way over there, so they mail mine.
 22 The packet I'm talking about.
 23 Q And you're the only housing authority
 24 member who has their package mailed; is that
 25 correct?

1 A Well, sometimes they'll deliver it.
 2 But I'm just saying, you know, this one happened to
 3 be mailed. So, I just thought I'd bring it as an
 4 illustration that -- yeah, I'm the only one over
 5 there, sure. Yep.
 6 MR. MICHELINI: All right. Thank
 7 you.
 8 THE WITNESS: Thank you very much.
 9 MR. GINGRICH: Through the Chair,
 10 before she steps away.
 11 MR. WINWARD: Yeah.
 12 THE WITNESS: Right back.
 13 MR. GINGRICH: You mentioned the
 14 police and how long it took for police to get over
 15 to you.
 16 THE WITNESS: No, I didn't say how
 17 long it took.
 18 MR. GINGRICH: What did you say?
 19 THE WITNESS: All I'm saying is, it
 20 is a concern that we do depend or had in the past
 21 depended on Seaside Park police, who kindly would
 22 answer calls.
 23 MR. GINGRICH: Okay. Well, I live
 24 very close to Police Park. Maybe six minutes from
 25 here. And in 2008, my house was robbed. The 911

1 call took them 45 minutes to get there. Because --
 2 THE WITNESS: I'm sorry to hear that.
 3 MR. GINGRICH: -- because they had so
 4 much other stuff to do. So, it doesn't matter where
 5 you live. That doesn't mean you're going to get
 6 there any sooner or any later. But not to embarrass
 7 the officer that guaranteed me he would catch that
 8 S.O.B., he's in the back of the room. His name is
 9 Officer Jimmy Smith. And he caught him. So, you
 10 know, it doesn't matter where you live. That's all.
 11 That's all I'm saying, it doesn't matter.
 12 THE WITNESS: I would -- distance, I
 13 think, I beg to differ, would be a factor.
 14 MR. GINGRICH: I just told you it
 15 took them 45 minutes to get --
 16 THE WITNESS: Yeah, I'm very sorry to
 17 hear about your incident but what I'm saying is --
 18 MR. GINGRICH: Right. What I'm
 19 saying, if they're having trouble somewhere, it's
 20 going to take them that long.
 21 THE WITNESS: -- it's -- we do depend
 22 on Seaside Park. And that is a fact.
 23 MR. GINGRICH: That's pretty good.
 24 All right.
 25 THE WITNESS: A lot on Seaside Park.

1 Not totally. But there is backups from
 2 Seaside Park. And I think the new council -- I
 3 wasn't at that meeting, but I think we're going to
 4 have backup now from Seaside Heights. We were
 5 backed up by the ranger at Island Beach State Park.
 6 And I don't know where else the backup would come
 7 from. But the very fact that there are backups
 8 would, to me, illustrate that sometimes you need
 9 more help from other communities. Thank you.
 10 MR. WINWARD: All right. Thank you.
 11 MR. MICHELINI: Okay. My next
 12 witness is going to be a little bit out of turn.
 13 Bob Cardwell. Bob?
 14 Just for clarification, he is not a
 15 signer of the petition because he lives in Seaside
 16 Park. But he needs to get out of here, so we're
 17 going to take a few minutes with him.
 18 ROBERT CARDWELL, having been duly sworn, according
 19 to law, upon his oath, testified as follows:
 20 EXAMINATION BY MR. MICHELINI:
 21 Q Mr. Cardwell, where do you live?
 22 A I live in Seaside Park.
 23 Q And how long have you lived in
 24 Seaside Park?
 25 A All my life. Sixty-four years.

1 Q And what street do you live on?
 2 A I live up on O Street, the northern
 3 end of town.
 4 Q How far is that from South Seaside
 5 Park?
 6 A Roughly, about a mile.
 7 Q Okay. And have you had occasion
 8 to -- you've heard the testimony? You've been to
 9 all the meetings so far?
 10 A Yes, sir.
 11 Q And you've heard people complain
 12 about police -- not about policemen themselves, whom
 13 we think are wonderful, but in terms of, you know,
 14 response and things of that nature, correct?
 15 A Correct, sir.
 16 Q Now, were you a police officer at one
 17 time?
 18 A Yes, sir, I was.
 19 Q How long were you a police officer?
 20 A Twenty full-time years and seven
 21 years as a seasonal.
 22 Q And what town did you serve as a
 23 police officer?
 24 A Seaside Park.
 25 Q During your experience as a police

1 officer, can you tell us what your experience was
 2 and whether backup was often provided or required in
 3 South Seaside Park?
 4 A Yes, there was numerous occasions
 5 where a call necessitated more than one officer
 6 response and they requested our backup to their
 7 officer in South Seaside.
 8 Q So, the primary responder for South
 9 Seaside Park would be who when you were working as a
 10 police officer?
 11 A The primary was Berkeley. And we
 12 would be the secondary.
 13 Q Do you know if that's still true
 14 today?
 15 A I presume it is. I'm not absolutely
 16 sure because I haven't been in direct contact with
 17 the police department.
 18 Q Okay. Can you tell us what types of
 19 matters you would typically be called for, if you
 20 know, you know, various matters in South Seaside
 21 Park for backup?
 22 A I mean, everybody reads the
 23 newspapers. They know what goes on around the state
 24 and around the country. And just because we've got
 25 a smaller community, doesn't mean we're lacking in

1 any of the seriousness.
 2 I've been down there on suicides. I've been
 3 down there on burglaries, armed individuals, fights,
 4 first aid calls, fires. We can keep on going right
 5 down the road from there.
 6 Q When you would get called for backup,
 7 was there -- can you tell us whether it was often
 8 that it would be you would be called because it was
 9 only one officer from Berkeley or would it be a
 10 situation where there were multiple officers? Why
 11 would you be called for backup?
 12 A Well, the backup is usually as a
 13 result that an officer needs assistance. Usually,
 14 there was one officer on duty down there and we were
 15 called to go down there and back him up.
 16 Q Would that officer, when you were
 17 working as a police officer in Seaside Park, have to
 18 cover also Pelican Island?
 19 A Yes, Berkeley covers Pelican Island,
 20 a certain percentage of it and all of South Seaside.
 21 Q All right. So, that officer would be
 22 split between those two areas?
 23 A Yes, sir.
 24 Q Would there be occasions when there
 25 would be nobody available from Berkeley Township

1 Police? Did that ever happen?
 2 A That I couldn't absolutely say for
 3 sure.
 4 Q Okay. Did you -- was the coverage
 5 for Berkeley, just in terms of Berkeley, in your
 6 experience, were there enough police officers from
 7 Berkeley Township to address the issues that
 8 occurred in South Seaside Park or was the backup
 9 necessary?
 10 A Well, it's not for me to say exactly
 11 how many. Of course, every town would like to have
 12 a dozen officers, you know, on duty at any given
 13 location. But, you know, priorities dictate the
 14 situations. So, was there a need for more officers
 15 down there? Sure. You know, I'd be lying if I said
 16 I didn't agree with it. But, again, the
 17 administration and the other departments and
 18 everything dictate their policies on how the
 19 distribution of manpower goes.
 20 Q And in your experience, was there
 21 ever one more -- more than one officer assigned down
 22 there?
 23 A Maybe in the summertime during the
 24 high, you know, the high people.
 25 Q During the summer at the height of

1 the season?
 2 A Yeah, the height of the season. You
 3 know, maybe from Memorial Day through, you know,
 4 Labor Day.
 5 Q Okay. And in your experience, was
 6 backing up Berkeley Township a regular thing that
 7 would happen weekly? Monthly? How often?
 8 A I can't give you the statistics, but
 9 it did happen, you know, quite regularly. I can't
 10 say exactly it happened three times a day, five days
 11 a week or six times a month. But it did happen.
 12 Q Do you know, being a part of the
 13 Seaside Park Police Department for so many years,
 14 how things would change if South Seaside Park became
 15 part of Seaside Park and Seaside Park would be
 16 primary, correct, for response?
 17 A Seaside then would become primary,
 18 yes, sir.
 19 Q And would that have any impact upon
 20 the services to be provided to people in South
 21 Seaside Park from a police standpoint?
 22 A Maybe from a police -- well, yes, it
 23 would be more officers on the road at any given
 24 time, especially during the high -- the peak season.
 25 You would have a contingency of summer officers

1 involved, as well as your full-time staff.
 2 Q How many officers were in South
 3 Seaside Park when you worked there -- I mean,
 4 Seaside Park when you worked there?
 5 A We had 13, 13 sworn officers.
 6 Q And that -- how big is Seaside Park?
 7 A 1.5 square miles.
 8 Q So, if you were to add or if this
 9 area of South Seaside Park were to be added, those
 10 13 or so officers would then be -- have the
 11 additional assignment of that area, correct?
 12 A Yeah. Well, we do work a shift
 13 basis. And we have what they call minimum manning
 14 where there was two officers on each shift at any
 15 given time.
 16 Q And that was throughout the year,
 17 correct?
 18 A That was throughout the year.
 19 Q Not just the summer?
 20 A No, summer was additional personnel.
 21 Q How else would South Seaside Park be
 22 impacted besides having additional officers
 23 available if this were to occur, this de-annexation?
 24 Let's talk a minute, in your experience, about
 25 response time. How long would it take a

1 Seaside Park officer to respond to a call in South
2 Seaside Park?

3 A Depending on the location. But if
4 you went from the northern borders of Seaside to,
5 say, 24th Avenue, probably less than a minute.
6 Maybe a little bit more.

7 Q And you've heard testimony that, you
8 know, a 911 call could take 45 minutes. Do you
9 think that that would be the case in South Seaside
10 Park if it was being serviced by Seaside Park?

11 A Well, I'd like to preface by saying
12 that every situation has its own extending circum --
13 extenuating circumstances. I mean, I know there's
14 times you prioritize your calls, okay, where maybe
15 somebody having a heart attack or something like
16 that would be a higher priority than a dog running
17 loose or a parking violation --

18 Q Sure.

19 A -- and that, so, but there are
20 situations that do exist, like the gentleman stated,
21 45 minutes, okay. You don't know what the
22 extenuating circumstances were.

23 Q So, you'd have to look at each
24 extenuating call?

25 A You'd have to look at each call on a,

1 you know, call per call basis.

2 Q But how far is it from, if the patrol
3 officer in Berkeley Township is in Pelican Island,
4 how much further is that to respond to South Seaside
5 Park than from the northern end of, the northern tip
6 of Seaside Park? In other words, how much closer
7 are you in Seaside Park?

8 A Closeness, it's really not an issue
9 because of the causeway setup there. There's a, you
10 know, a higher speed, easier access. You know, it
11 would only add a few, you know, a few more seconds
12 to the actual --

13 Q To the response?

14 A -- response time.

15 Q Do you think it would be to an
16 advantage -- I mean, you're here as a witness. Are
17 you supporting this de-annexation effort?

18 A Oh, most certainly.

19 Q Okay. From a police standpoint, why
20 are you doing that?

21 A Only because I feel that Berkeley
22 down there deserves, you know, what the lady said,
23 better services down there, okay. I'm not
24 condemning Berkeley Township Police. They're a fine
25 bunch. They're an outstanding bunch of officers. I

1 work with them. A lot of them were on our
2 department as seasonal officers.

3 So, you know, Berkeley is not -- you know,
4 this has to set priorities from the upper echelon,
5 okay. And that's where it has to come from. We're
6 the grunts. We're out there on the streets day in
7 and day out. We do as we're told. We're quasi
8 military. So, you know, any decisions as far as
9 allocation and manpower and stuff, has to come from
10 up above.

11 Q But you think, you do believe it
12 would be beneficial to the residents of South
13 Seaside Park?

14 A Well, there's a lot of things that
15 would be beneficial to South Seaside Park in joining
16 Seaside. I mean, I grew up with all the kids from
17 South Seaside. I went to grade school with them in
18 Seaside Park. Went to high school with them. And
19 some I even went to college with. You know, I
20 consider -- I've never not considered them part of
21 Seaside Park. I have not considered them, you know,
22 a separate entity.

23 Q So, from a culture standpoint, it
24 functions as the same area or the same town; would
25 that be fair?

1 A Exactly. It's a contiguous
2 community.

3 Q And they're both beach communities?

4 A Exactly. You know, you got to go
5 through South Seaside to get to Island Beach.
6 Island Beach people got to go through South Seaside
7 and Seaside Park. So, I mean, you know, that's a
8 contiguous community and we benefit, you know, both
9 services.

10 Q Now, let me ask you, you were also
11 the fire chief or served in the fire department in
12 Seaside Park, right?

13 A Yeah, I've been on the fire
14 department 38 years.

15 Q Are you still on the fire department?

16 A Yes, sir. Still an active member.

17 Q That's -- what's the -- that's the
18 Seaside Park Fire Department?

19 A Seaside Park Volunteer Fire Company,
20 yes, sir.

21 Q And does that service South Seaside
22 Park?

23 A Yes, sir, and Island Beach State
24 Park.

25 Q Okay. And has it for the 38 years

1 that you've been associated with them, to the best
2 of your knowledge?
3 A I'm sorry?
4 Q Has it serviced South Seaside Park --
5 A Yes, sir.
6 Q -- for 38 years?
7 A I believe so, on all the time that
8 I've been on the company.
9 Q And are those fire services, how are
10 they paid for insofar as your responses to South
11 Seaside Park? Is that Berkeley Township that pays?
12 A Berkeley Township contracts with the
13 Borough of Seaside Park for fire services in
14 South Seaside.
15 Q So, if this de-annexation were to
16 occur, then that cost would then go to somewhere
17 else, would go to Seaside Park to pay for them,
18 correct, because it would be part of Seaside Park?
19 A It would be part of the tax base.
20 Q So, would -- Berkeley Township would
21 be alleviated of that cost?
22 A Exactly. You know, be no
23 discontinuation of services down there.
24 Q Now, you were the fire chief,
25 correct?

1 A Yes, sir.
2 Q You're familiar with how things get
3 funded, correct?
4 A Unfortunately, yes.
5 Q You were the fire chief on two
6 occasions; is that correct?
7 A Two occasions, yes, sir.
8 Q All right. And do you think from a
9 fire standpoint that it would be a favorable thing
10 for this de-annexation to occur or doesn't really
11 matter?
12 A Like I previous stated, there would
13 be no break in services if de-annexation took place.
14 You know, we would still continue servicing South
15 Seaside Park as, you know, as we have done for the
16 last, you know, however many years.
17 Q Would just be the cost would go to
18 Seaside Park?
19 A The cost would be diverted from down
20 there, from Berkeley Township to Seaside Park.
21 Q Do you recall any specific
22 occasions -- there was testimony about snow plowing.
23 I would imagine that living over there, you've
24 witnessed the conditions in both Seaside Park and
25 South Seaside Park when it comes to snow plowing?

1 A Just one incident comes to mind when
2 I was fire chief. I believe it was in the winter of
3 '96. We had probably about two to three feet of
4 snow. Heavy drifts. And, you know, they were just
5 barely able to keep up with the snow, except
6 Berkeley Township, they were inundated down there
7 for three days. Their roads were not plowed.
8 Subsequently, as fire chief, I had an
9 obligation for the protection and safety down there.
10 I had a contingency plan worked out with my public
11 works director and that, but at the same time it
12 would have taken time to implement this, you know,
13 program, you know, into getting down into South
14 Seaside.
15 Q So, South Seaside Park, during that
16 big storm in '96 that dumped about three feet of
17 snow in this area, they did not plow down there?
18 A Well, they had a plow over here with,
19 you know, on the truck that looked like something
20 out of the 1920s. It broke down prior to the snow.
21 And that's where it remained for the entire
22 snowstorm.
23 Q So, the residents in South Seaside
24 Park, what did they do?
25 A I don't know what they did. I think

1 they probably hunkered down and, you know, waited
2 for the troops to arrive.
3 Q Have you been involved in --
4 A Could I add one thing to that?
5 Q Sure.
6 A I did, as fire chief, contact the
7 Berkeley administration via letter. I got a letter
8 back and was basically told, you don't know what
9 you're talking about, shut your mouth. You know,
10 Berkeley Township is, you know, the best -- best
11 going. Okay. I wasn't going to debate the issue
12 because it would turn into a press related matter.
13 Subsequently, the next snowstorm that we had,
14 they had a brand new plow and a brand new truck over
15 there, quite earlier than the initial snowstorm.
16 So, I felt that as the fire chief, I kind of won.
17 Q You did your job and they responded
18 ultimately?
19 A Right. I couldn't -- I couldn't let
20 the issue lie only because of, you know, the
21 situation that existed.
22 Q Were you also involved in emergency
23 management as a police officer and fire chief?
24 A Yes, sir, I was.
25 Q And from an emergency management

1 standpoint, can you tell us what impact, if any, the
2 current situation has on South Seaside Park versus
3 what de-annexation would have?

4 A Well, all our planning, all the years
5 I was in emergency management, also took into
6 consideration South Seaside Park, only because South
7 Seaside Park had to come through our community to
8 get off the barrier island onto the mainland. So,
9 that was all the considerations as well there.

10 Q Was that with the assistance of
11 Berkeley Township or did Seaside Park pretty much do
12 that on its own?

13 A No, we, you know, we work with the
14 Berkeley Township emergency management, you know.
15 These plans are, you know, don't get developed
16 overnight. And, again, the state, county and local
17 and municipal.

18 Q But your specific emergency
19 management plan was designed to assist those in
20 South Seaside Park in getting out of town in the
21 event of an emergency --

22 A Correct.

23 Q -- correct?

24 A You know, with the traffic situation,
25 route planning, and all the other things that go

1 along with emergency situation. Luckily, we never
2 had to use it, but they were in place if we had to.

3 Q Is it fair to say that in your 64
4 years -- and I know you're not going to remember
5 back to '63 or '62 -- but in your lifetime of living
6 over in Seaside Park, that these two areas,
7 Seaside Park and South Seaside Park, has, as you
8 said, functioned together as a single unit?

9 A Sure. I remember years ago, my
10 earlier years, like I said, schools, we went to the
11 same schools. Of course, we went to the high
12 school. We had to travel 13 miles by bus to go to
13 the high school. But, again, all the people, you
14 know, down there use our facilities. We know their
15 people down there. They use our marinas, our bay
16 front, our boating ramps, our beaches.

17 Q Is there a boating ramp in South
18 Seaside Park?

19 A Not that I know of. The one that
20 they did use that was public has been closed down.
21 That was 24th Avenue down there at the wheelhouse.

22 Q So, if you have a boat and you live
23 in South Seaside Park, the closest boating ramp
24 would be one in Seaside Park, correct?

25 A Correct, 13th Avenue.

1 Q Okay. And you said they use your
2 beaches. Those are the beaches that have been
3 talked about earlier today, I'll assume, correct?

4 A You know, I can't say for sure. But
5 I imagine a lot of the people down there, you know,
6 they'll come up and use our beaches, you know,
7 versus, you know, Berkeley.

8 Q All right. Is there anything else
9 that you'd like to tell this board about why you
10 think de-annexation is a good idea?

11 A Other than the fact this, that I
12 think they would benefit from our services. They
13 would benefit from our stores, our programs, our
14 recreation facilities. And plus the fact is, they
15 don't have to travel 15 miles to get anything
16 accomplished.

17 MR. MICHELINI: Thank you, sir. I
18 don't know if the board has any questions for you.

19 MR. WINWARD: I have one. You had
20 mentioned about the -- you had backed up the
21 Berkeley in South Seaside Park. When they had an
22 officer over there, were they ever -- did they ever
23 reciprocate and back you up?

24 THE WITNESS: Yeah, well, they would
25 a lot of times come to our scene, not necessarily as

1 a backup, unless we had like a major, say, a major
2 fight or something like that, okay. But, you know,
3 one hand washes the other.

4 MR. WINWARD: So, it wasn't one way
5 like it kind of came across? There was
6 reciprocation?

7 THE WITNESS: Well, I just said that,
8 you know, the, you know, the situation dictates
9 manpower.

10 MR. WINWARD: Right.

11 THE WITNESS: And, you know, I've
12 seen Berkeley because I know a lot of them. They
13 used to a lot of times show up at our calls, okay.
14 Whether they were asked, whether they were not, I
15 know there's many times that I called as a shift
16 supervisor, I called for backup. But then, again,
17 there's a lot of times I called for backup from
18 Berkeley, Seaside Heights and maybe even Lavallette
19 if the situation dictated.

20 So, again, we all use the, you know,
21 the backup, the emergency response, the Mutual aid.
22 It's done all over the world.

23 MR. WISER: Sir, when did you retire
24 from the police force?

25 THE WITNESS: 2000.

1 MR. WISER: Okay. Do you know -- you
2 testified a lot about some operational things
3 tonight, both for Seaside Park and South. Are those
4 still in place, those operational things you
5 testified to?

6 THE WITNESS: I really couldn't
7 answer that, to be honest with you. I can say that
8 when we were there, the operational issues were
9 determined again by the administration. I'm pretty
10 sure with the extent of technology the way it is
11 today, okay, which has far surpassed me in the
12 police world, okay, the situations are still there.
13 You still got your burglaries. You still got your
14 domestic violence. You still got your guys running
15 around with drugs and guns and everything else.

16 So, again, on -- as I said before,
17 when you're the grunt and you're on the patrol end
18 of things, you're going to meet these situations.
19 And all the technology in the world is not going to
20 help you calm a situation down. The only thing
21 that's going to calm a situation down is your
22 experience and, you know, what you got up there.

23 MR. WISER: Are the situations
24 different in each side of the municipal line on the
25 island, or is it pretty much all the same in terms

1 of --

2 THE WITNESS: The situations?

3 MR. WISER: The situations that a
4 police officer would confront, the ones you were
5 just talking about.

6 THE WITNESS: Oh, exactly.

7 MR. WISER: They're the same --

8 THE WITNESS: You had the first aid.
9 You had the fires, the domestic violence. I've been
10 down in South Seaside during my career on suicides.
11 Been down there with burglaries. Been down there
12 helping them out with a gunshot, a hostage
13 situation, I mean. The only thing different between
14 maybe South Seaside and Seaside or Camden,
15 New Jersey is the amount of the occurrences. The
16 situations are all the same.

17 MR. WISER: Are the amount of the
18 occurrences different on either side of the
19 municipal line?

20 THE WITNESS: That I don't have the
21 statistics on the Berkeley's call load in South
22 Seaside Park, okay. We would have that with our
23 department as far as the call loads go. And, again,
24 Berkeley don't have the summertime influx that we
25 have. We have the boardwalk. We also have a high

1 rate of back and forth between Seaside Heights and
2 Seaside Park. And, again, that dictates, you know,
3 certain things going on.

4 The wintertime, it's a different
5 story. You know, you have the influx of a lot of
6 things. I won't go into them. And that each time
7 of the year dictates different problems that you
8 might have.

9 MR. WISER: But the problems -- you
10 said the problems on either side of the line on the
11 island are generally the same?

12 THE WITNESS: Yeah. Well, we have
13 the same problems over on the barrier islands as you
14 have over here on the mainland, okay. But the only
15 thing is, it dictates the amount of the call load.
16 You know, you could have a thousand calls in
17 Berkeley here and we may only have a hundred over on
18 the barrier. And it only dictates only because of
19 the amount of the population.

20 MR. WISER: Now, you said that
21 Seaside Park has two officers on duty at any one
22 time?

23 THE WITNESS: That was throughout the
24 winter of, from the fall, winter and spring.
25 Minimum manning is what we call it.

1 MR. WISER: As opposed to Berkeley
2 for South having just one.

3 In the summer, I understand that
4 Berkeley goes up to two or -- for South Seaside
5 Park. For Seaside Park, does that manning increase
6 as well?

7 THE WITNESS: Yes, our manning goes
8 up comparatively in the summertime only because of
9 the population we have. We hired, last time I was
10 there, we had 25 seasonal officers, class one and
11 class twos.

12 MR. WISER: And that was while you
13 were still working there?

14 THE WITNESS: While I was still
15 there, yes, sir.

16 MR. WISER: And for those 25, how
17 many were on the street at any one time?

18 THE WITNESS: At any given time,
19 compared to the -- that was when we had the
20 boardwalk, okay. We had the three two-man patrols
21 on the boardwalk. We had at least four -- three
22 regular officers, including a supervisor, on the
23 street, as well as several seasonal officers in cars
24 on patrol.

25 MR. WISER: And do you know whether

1 that's the same now or similar now?
 2 THE WITNESS: It's probably similar
 3 now. I couldn't give you an exact, exact figure.
 4 But, yes, the seasonal officers are used in
 5 conjunction with your regular force.
 6 MR. WISER: And is that sufficient
 7 both winter and summer, is that sufficient for
 8 Seaside Park or would you, from your perspective,
 9 think that you should have more, more bodies?
 10 THE WITNESS: I -- you said, you're
 11 talking about is it sufficient. We're talking,
 12 again, you need a clarification as far as the
 13 seasons go. You talking --
 14 MR. WISER: Are two sufficient --
 15 THE WITNESS: -- fall, winter and
 16 spring or are we talking summer or are we talking a
 17 combination?
 18 MR. WISER: Are two -- there's two in
 19 the winter, correct?
 20 THE WITNESS: Correct, minimum.
 21 MR. WISER: Typical, two?
 22 THE WITNESS: Typically, two, yes,
 23 sir.
 24 MR. WISER: Okay. Are those two
 25 sufficient in the winter?

1 THE WITNESS: For the most part, yes.
 2 MR. WISER: And in the summer, what
 3 you just outlined, and we'll assume it's pretty much
 4 correct, I lost the numbers as you were ticking them
 5 off, are they sufficient to cover the needs of South
 6 Seaside Park in the summer or would you, from your
 7 perspective, want more bodies out there?
 8 THE WITNESS: No, I mean, in the
 9 summertime, probably with our seasonal officers, I
 10 mean it's easy enough to, you know, add or subtract
 11 seasonal officers, you know. So, based on the
 12 problematics that go on, you can either increase or
 13 decrease. You're not going to increase your
 14 full-time force, okay, to, say, 25 or 30 people and
 15 have them running into each other in the middle of
 16 the winter. But, you know, there would probably
 17 have to be a minor increase in manpower for the
 18 year-round service if annexation took place. I'm
 19 presumably saying approximately, you know, one
 20 officer, one full-time officer per, you know, per
 21 shift.
 22 MR. WISER: So, you'd go from two to
 23 three?
 24 THE WITNESS: We'd go from two to
 25 three. That would be my ideal situation, okay, only

1 because of, you know, the added area of coverage.
 2 MR. WISER: So, in effect, that would
 3 be the same coverage that's there now?
 4 THE WITNESS: Basically, yes.
 5 MR. WISER: Okay. That's all I have.
 6 MR. MACKRES: Mr. Chair.
 7 MR. WINWARD: Yes, go ahead, Nick.
 8 MR. MACKRES: So, I'm just trying to
 9 do the math backwards here. So, we have, if I'm
 10 correct, we have one police officer right now for
 11 South Seaside Park?
 12 MR. WISER: That's what I -- I think
 13 we've heard.
 14 MR. MACKRES: That's what I'm
 15 hearing. And because residents voted, registered
 16 voters, 431 registered voters, which would be
 17 25 percent if they merged, do the math backwards,
 18 basically, three times the size. So, Seaside Park
 19 is three times the size and has two officers and
 20 they should have three. If they go to three and
 21 merge, it's still less coverage than it's currently
 22 covered.
 23 THE WITNESS: Can I clarify
 24 something, sir?
 25 MR. MACKRES: Yes.

1 THE WITNESS: You're saying two
 2 officers. I'm saying minimum officers. Because a
 3 lot of times we had three. A lot of times we may
 4 have had four. So, it's not -- that's only the
 5 minimum.
 6 MR. MACKRES: Off-season two.
 7 THE WITNESS: If a guy called out
 8 sick, if a man called out on vacation, for whatever
 9 reason, a man was brought in on overtime so that
 10 that minimum level, minimum manning level would
 11 remain the same.
 12 MR. MACKRES: Thank you.
 13 MR. GINGRICH: Through the Chair?
 14 MR. WINWARD: Yes, go ahead, Brian.
 15 MR. GINGRICH: From your experience,
 16 the way you have discussed the whole entire police,
 17 if de-annexation went through, you guys would still
 18 be helping each other, correct?
 19 THE WITNESS: Depends on --
 20 MR. GINGRICH: In other words, it's
 21 not a case of, you wouldn't need Berkeley anymore,
 22 because now you're done. You would still need
 23 Berkeley and sometimes they would need you?
 24 THE WITNESS: Not necessarily because
 25 of the distance factor. If we annex out Seaside

1 Park, what would be the reason for Berkeley to be
2 sending an officer over to South Seaside?

3 MR. GINGRICH: Because of what you
4 stated before, that you helped each out in time of
5 need?

6 THE WITNESS: If we had -- if we had
7 a major riot, so to speak, on the boardwalk --

8 MR. GINGRICH: No, I'm not saying a
9 major riot, sir. I'm saying at some time, you would
10 need possibly a Berkeley police officer to go over
11 and help you out?

12 THE WITNESS: Not necessarily.

13 MR. GINGRICH: You wouldn't?

14 THE WITNESS: Depends on the
15 situation.

16 MR. GINGRICH: Exactly. So, it could
17 be --

18 THE WITNESS: You don't need to
19 personally call --

20 MR. GINGRICH: So, there could be a
21 time --

22 (Off the record.)

23 MR. GINGRICH: I'm sorry. So, there
24 could be a time when you would need a Berkeley
25 officer, is all I'm saying.

1 THE WITNESS: If you want to put it
2 in that perspective --

3 MR. GINGRICH: Yes.

4 THE WITNESS: -- yes.

5 MR. GINGRICH: Thank you.

6 BY MR. MICHELINI:

7 Q And would that perspective be a major
8 riot; is that what you said?

9 A If we had a -- you know, I've been in
10 on major fights and stuff like that that we just
11 called people in from, you know, all the surrounding
12 towns to quell the situation. Situation gets
13 quelled. People get arrested. And everybody goes
14 back to their own individual towns.

15 Q But if de-annexation from Berkeley
16 occurs and South Seaside Park becomes part of
17 Seaside Park, do you see that Berkeley Township
18 would be called for backup on a very frequent basis
19 or --

20 A Probably not.

21 MR. GINGRICH: I didn't say frequent,
22 sir.

23 MR. MICHELINI: I said frequent.

24 Q So, it would only be in those
25 situations that would be a very significant police

1 event, such as, a riot or a major fight with a lot
2 of people involved?

3 A Exactly.

4 Q Okay.

5 MR. WISER: Just out of curiosity, a
6 riot I sort of understand. But a major fight, how
7 many folks is that? I mean, is there -- and just
8 more curiosity for my part.

9 THE WITNESS: Well, let's, hopefully,
10 when we get there, there's nobody fighting. But
11 when we've had situations, I'll call a situation in
12 the Bamboo Bar on the Boulevard in Seaside Heights.
13 We had upwards of probably about 75 to 100 people
14 going at it in the middle of the Boulevard, okay.

15 Now, I don't want to go back into my
16 younger days where the brawls and everything used to
17 take place and stuff, but they were a regular
18 occurrence.

19 So, I mean, again, if there's more
20 than, you know, five people fighting, I'm not going
21 in there with two officers to try to quell the
22 situation.

23 MR. WISER: That was really my --
24 five is sort of, I mean, obviously, reasonable care,
25 but --

1 THE WITNESS: The law says you use
2 the necessary force to calm a situation.

3 MR. WISER: More than one on one,
4 you're calling for backup?

5 THE WITNESS: Probably yes, sir. And
6 there's some times when I'm in a situation one on
7 one with somebody that I want several people there.

8 MR. WISER: Understood.

9 MR. MCGUCKIN: Thank you.

10 EXAMINATION BY MR. MCGUCKIN:

11 Q Mr. Cardwell, you retired in 2000,
12 you said?

13 A Yes, sir.

14 Q And Seaside Park you said is 1.5
15 square miles?

16 A Yes, sir.

17 Q When you were there, what was the
18 year end population, ballpark?

19 A When I started or when I finished?

20 Q No, when you left. Let's say 2000?

21 A In 2000, we probably up to 1,500,
22 2,000 people, year-round residents.

23 Q And you heard the testimony of
24 Ms. Fulcomer that full-time, year-round residents in
25 South Seaside Park would be roughly 25 percent of

1 that?

2 A If that's what the statistics prove
3 out to be. I would know not on that issue.

4 MR. MICHELINI: I think your
5 testimony --

6 Q How many people --
7 MR. MICHELINI: Excuse me. Your
8 testimony was registered voters, so.

9 MR. MCGUCKIN: I understand. But
10 using his numbers, 1,500 to 2,000, and there was 400
11 and some registered voters, it actually is less than
12 that.

13 A Not all our people in Seaside Park
14 are registered voters.

15 Q I understand.

16 A A lot of transient people that come
17 in in the wintertime.

18 Q I understand. So, in that situation,
19 you, in response to the testimony earlier, a
20 question earlier, you said your idea would be
21 minimum manning would be three officers; is that
22 correct?

23 A If I had my way and the money and,
24 you know, the backing of mayor and council, I'd have
25 a half a dozen guys walking, working full-time.

1 But, again, you're on a budget. You're on, you
2 know, you got to listen to these people out here in
3 the audience. You're going to do with the minimum
4 amount that you have available to you.

5 Q For the 1,500 to 2,000 year-round
6 residents where you were a police officer, the
7 minimum manning was two officers in Seaside Park?

8 A Yes, sir.

9 Q And one-fourth of that population had
10 one officer in South Seaside Park while you were
11 there?

12 A If that's what Berkeley's manpower
13 configuration is, yes.

14 MR. MICHELINI: I think the testimony
15 was South Seaside Park and Pelican Island, to be
16 fair. Wasn't just South Seaside Park.

17 MR. MCGUCKIN: That is true.

18 Q And you mentioned the snowstorm in
19 1996. We all recall the great Nor'easter in the
20 winter of '96, huge snowstorm. What about in the
21 past five years? We've had major events. You've
22 indicated there has been better plowing over there.
23 There's a different vehicle now.

24 So, you kept talking about something almost
25 20 years ago. I'm trying to find out what's it like

1 now as opposed to then.

2 A With or without construction?

3 Q Before the construction.

4 A Before. Again, I consider like South
5 Seaside Park with the exception of Central Avenue
6 like a bedroom community, okay. Most of --

7 Q I'm trying to get to -- you said that
8 1996, the three feet snow and the plow from Berkeley
9 Township --

10 A I'm saying it now, Mr. McGuckin.

11 Q Let me finish. You said the plow
12 from Berkeley Township was old and had crapped out
13 before the storm hit.

14 A Yeah, that was back in '96.

15 Q '96. So, I'm trying get to the
16 storms we had in 2009, 2010, 2011, we had some major
17 snow storms.

18 A Uh-hum.

19 Q Two to three feet of snow. And what
20 was the situation at that time? Was it --

21 A The situation in the past, this past
22 winter, I imagine it was passable. I didn't make it
23 after, after a snowstorm trip down there because I
24 had my situations to handle.

25 Q Okay. So, the testimony you had was

1 about 20 years ago. It's not anything that you've
2 seen in the last four or five years?

3 A No, sir, because I don't make a point
4 to go down there and check out their situation.

5 MR. MCGUCKIN: All right. Thank you.

6 THE WITNESS: That's for the new
7 administration to figure out.

8 MR. MCGUCKIN: Thank you. Thank you.
9 That's it.

10 THE WITNESS: That's it. Thank you.
11 Thank you.

12 MR. WINWARD: Thank you very much.

13 MR. MICHELINI: I have a short
14 witness. So, rather than I get into a long witness,
15 I thought I'd take a short witness.

16 THE WITNESS: Robert Schwartz,
17 S-c-h-w-a-r-t-z. I live on 11 20th Avenue in South
18 Seaside Park.

19 ROBERT SCHWARTZ, having been duly sworn, according
20 to law, upon his oath, testified as follows:

21 EXAMINATION BY MR. MICHELINI:

22 Q Mr. Schwartz, you live in South
23 Seaside Park. What was the street?

24 A Eleven 20th Avenue.

25 Q How long have you lived there?

1 A I've lived there full-time for about
2 ten years.

3 Q And did you own part-time or summer
4 there before that or no?

5 A Yes.

6 Q How long?

7 A Since 1998.

8 Q Okay. What would you like to talk
9 about? There's a lot of discussion about snow
10 removal. I know that is something that you wanted
11 to talk about, correct?

12 A That's right. It's the first thing
13 on my list. So, you were talking about the storms
14 in recent times. I've lived down here, as I said,
15 for like the last ten years full-time.

16 In 2010/2011, we had a big storm. And the
17 thing that happened to me is, I got trapped in my
18 house for three days. I have a four-wheel drive
19 vehicle and I could not get out because they weren't
20 plowing the side streets.

21 So, what I've done since then, my policy has
22 been since then, is to park a car on Central Avenue
23 because they do plow Central Avenue. And if I do
24 need to get out to get to work or to get food or
25 anything else, I can at least walk out to Central

1 Avenue to get to my car if we have a big storm. So,
2 that's what I've been doing. Of course, this year I
3 couldn't do that because of all the construction
4 that's going on.

5 Q That's a different issue.
6 Everybody's got to deal with that. That storm was
7 what year?

8 A 2010/2011.

9 Q Okay. And for three days you were
10 trapped in your house?

11 A Yes.

12 Q And how deep was the snow, if you
13 recall?

14 A It was a good two and a half, three
15 feet. I have pictures if you want to see them.

16 MR. MICHELINI: Yeah, let's have that
17 marked.

18 (The Photograph was marked as A-13
19 for identification.)

20 Q I'm going to show you an eight by ten
21 photo and hold it up for the board because it's
22 small. Is this a photo that you took of that storm
23 in 2010/2011?

24 A Yeah, that was taken from my upper
25 deck.

1 Q And that shows the amount of the
2 snow. And is there -- are there -- is there a road
3 that's covered in this photo?

4 A Yeah, there is.

5 Q Okay. And which way does that road
6 run?

7 A It runs east and west.

8 Q So, it runs in front of these small
9 homes? Yes?

10 A Yes.

11 Q Okay. And that road is, you can't
12 even see it, correct?

13 A Right.

14 Q And this was in that three day
15 period, I take it --

16 A Right.

17 Q -- that there was no -- no snow
18 plowing from Berkeley Township, correct?

19 A Correct. I have another copy.

20 Q We actually have two copies, so we'll
21 put another one just for ease of looking at. It's
22 not quite as clear.

23 And what other issues would you like to talk
24 about regarding snow removal, if anything?

25 A No, that's it for snow removal.

1 Just, it really has become my policy to park on
2 Central Avenue so that I can actually get out if I
3 have to.

4 MR. GINGRICH: Same snowstorm that
5 snowed me in.

6 Q Okay. And what other issues would
7 you like to talk about?

8 A Okay. So, the other things I would
9 like to talk about is, sand removal is one thing.
10 You know, down at the beach, we do get Nor'easters.
11 We get a lot of wind. We get a lot of sand. And
12 eventually -- actually, in the past, Berkeley has
13 never really cleaned it up.

14 In the last couple years, they've started to
15 clean it up. Oftentimes, takes a month or more for
16 us to get dug out from these big windstorms that we
17 get down at the shore.

18 Q How much sand is deposited on the
19 streets and the surrounding, the area that you're
20 talking about?

21 A It's a couple of inches of sand.
22 It's just all over the place. And, you know, sand
23 is a part of the beach, so I understand that. And
24 we do, we are willing to deal with that. That's
25 part of the reason we put up with it at the beach.

1 It's just the amount and the amount of time that it
2 takes to get the sand out of there when we do have a
3 really bad storm.
4 Q With regard to sand, does Seaside
5 Park take care of the sand, to the best of your
6 knowledge?
7 A I'm talking about the sand on the
8 streets. So, I don't think so. I don't know who
9 takes care of it.
10 Q Okay.
11 A Nobody --
12 Q I'm talking about in Seaside Park,
13 not in South Seaside Park. What is the situation
14 there with regard to sand on the streets?
15 A Oh, I don't know.
16 Q Okay. With regard to the snow that
17 you, the picture that you showed of the snow, were
18 the streets in South Sea -- in, I'm sorry, the
19 Borough of Seaside Park, were they cleared after
20 that storm?
21 A I don't know about that either. I
22 just know --
23 Q Okay. You just know --
24 A -- I finally got out of there after
25 three days. I was very excited.

1 Q Okay. What else would you like to
2 tell this board?
3 A I was -- the other thing I want --
4 one of the big things I wanted to talk about was
5 paving. You know, we just heard about how a street
6 was paved. I think it was Roberts.
7 Q Roberts.
8 A Roberts. And, actually, that was
9 paved for the second time in three years. It was my
10 understanding. Well, I live on 20th Avenue.
11 20th Avenue is the main street to the beach. And
12 that's the street that all the emergency vehicles
13 have to use. Because it's the only access over the
14 dunes to get onto the beach from there. So, it's
15 very, very highly used. It's a popular street.
16 It hasn't been paved. According to my
17 calculations, nobody alive knows the last time it
18 was paved. I've checked with people. My neighbors.
19 I can track it back to at least 1965. It wasn't
20 paved since then. So, it's been a good 50 years or
21 more. I do have pictures of that also.
22 Q What is the condition of the roadway?
23 A The condition of the road is very
24 questionable. I mean, it's just totally worn out.
25 It's just a mess, so --

1 Q You have pictures. Let's mark.
2 A These are duplicates, so there's
3 three pictures.
4 Q These?
5 A And that one.
6 MR. MICHELINI: Okay. If we can just
7 have these marked.
8 (The Three photographs were marked as
9 A-14, A-15, A-16 for identification.)
10 Q Okay. Showing A-14 has been marked.
11 Can you tell us what that is?
12 A That's 20th Avenue right in front of
13 my house.
14 Q Okay.
15 A So, that's what's left of the road.
16 Q I'll show these to the board. A-15?
17 A Again, same thing. It's just, the
18 first one was a closeup. This is a longer shot.
19 Q And A-16?
20 A A-16 is looking up the road towards
21 the beach. This is the access that the emergency
22 vehicles have to use to get onto the beach.
23 Q And this is, obviously, your road,
24 20th Avenue. When did you take these photos?
25 A I just took them a month or two ago.

1 MR. MICHELINI: Okay. Actually, I
2 have duplicates of those. So, if, for ease of the
3 board looking at the photos, you can look at
4 duplicates.
5 Q So, other than the condition of the
6 roadway on 20th Avenue, what else would you like to
7 mention to the board?
8 A I wanted to talk about recycling
9 first. So, we did see that there are some of these
10 robo cans around that are automatic for recycling,
11 similar to what they have for garbage cans. And so,
12 I decided to call. I saw a couple of them in South
13 Seaside Park, so I said I should see if those are
14 available to us. So, I called up the town and said,
15 are we going to get robo cans?
16 And they said, you don't have them?
17 And I said no, we don't have them.
18 And she said, well, do you live in Berkeley?
19 I said, yeah, we live in Berkeley. I said,
20 we don't have them.
21 She said, well, hold on a minute. She went
22 and talked to somebody. She came back and said,
23 where do you live in Berkeley?
24 I said, South Seaside Park.
25 They said, oh, oh. You're not getting those

1 until next year.
 2 I said okay. So --
 3 Q When did you have this conversation
 4 with the municipal official?
 5 A This was probably fall of last year.
 6 MR. MCGUCKIN: Do you know the name
 7 of the person?
 8 THE WITNESS: I do not know the name
 9 of the person in that case but in another case I do.
 10 Q So, go ahead.
 11 A So, we're waiting. It's next year
 12 and we haven't gotten them.
 13 Q Next year meaning 2015?
 14 A They said in 2014 we would get the
 15 robo cans next year. That would be 2015.
 16 Q This year. Okay. Go ahead.
 17 A So, then I was surprised when Judy,
 18 when I just walked in tonight and Judy handed me
 19 this.
 20 Q Judy being?
 21 A Judy --
 22 Q Judy is a friend -- one of the
 23 petition signers?
 24 A Right.
 25 Q Judy Urban?

1 A Judy Urban. So, she gave me the
 2 Berkeley Times, which I hadn't seen because I never
 3 see it. We never get it over on the other side of
 4 the island. But the headline is, Township Completes
 5 Robo Can Recycling Rollout. And just to quote one
 6 line -- basically, they said it's done. And just to
 7 quote one little line from the mayor, it says, the
 8 only neighborhoods who do not have a robo can will
 9 be Holiday City and Silver Ridge Park, which still
 10 have single stream recycling but not the automatic
 11 containers.
 12 Q You do not have robo cans?
 13 A No, we don't. So, and I actually
 14 don't think we're getting them.
 15 Q And that would be contrary to what
 16 you were told by the municipal official, that you
 17 would have them in 2015, correct?
 18 A Right.
 19 Q So, as you sit here today or stand
 20 here today testifying, you don't even know if you're
 21 going to get them?
 22 A I'm under the impression based on
 23 this that we're not getting them. But we'll see.
 24 Q Why is that important to you? Why
 25 does that matter?

1 A You know, on -- where we live, it's
 2 quite windy. There's a lot of weather. And when
 3 you have recycling cans like that, invariably, the
 4 tops get lost. The cans get knocked over.
 5 Recycling gets blown down the street. And they get
 6 filled up with water. So, you know, it's not the
 7 end of the world, but it's just one other thing
 8 where we feel like we're second class citizens over
 9 there, that we have to beg for something that they
 10 thought we already had. I mean, I had to convince
 11 them that we didn't have them because they thought
 12 they were done, so --
 13 Q What else would you like to address?
 14 A Well, just the other thing with
 15 recycling.
 16 MR. WINWARD: Yeah.
 17 MR. ORIS: Through the Chair?
 18 MR. WINWARD: Yeah.
 19 MR. ORIS: Mr. Schwartz, but did you
 20 say earlier that you initiated the phone call to
 21 town, to the public works department, because
 22 someone in South Seaside Park had a robo can?
 23 THE WITNESS: At the end of
 24 20th Avenue where the picture that goes up to the
 25 beach, there was a robo can there. And I talked to,

1 I forget who, somebody said, oh, yeah, I got one. I
 2 haven't -- I've only -- I have only seen the one at
 3 the end of the block.
 4 Q Only one in all of South Seaside Park
 5 that you've seen?
 6 A That I've seen. One person told me
 7 they managed to get one.
 8 MR. ORIS: I just wanted to make sure
 9 I understood.
 10 THE WITNESS: Sure.
 11 A The other thing I want to say about
 12 recycling is, we really don't use Berkeley's
 13 recycling facilities except they pick up for us.
 14 But when we have paint, when we have batteries, when
 15 we have -- when we need soil, when we need compost,
 16 we go to South Seaside Park, because the facility's
 17 right there. It's very handy.
 18 Q And anything else you wanted to
 19 mention?
 20 A Yeah, the last thing I really wanted
 21 to talk about was bulk pickup. And I only wanted to
 22 talk about this because it just -- it was one of
 23 those things where I, you choose your fights. And I
 24 actually, we put stuff out for recycling and they
 25 don't pick it up. If they do pick it up, they don't

1 pick it up the day they say they're going to pick it
 2 up for bulk pickup.
 3 So, anyway, December 10, 2013, I put out
 4 stuff for recycling or for bulk pickup, sorry. And
 5 they didn't pick up. Well, the roads were all torn
 6 up for Sandy and I kind of figured, give it a pass,
 7 you know. Like I said, you got to pick your fights.
 8 But I put the same stuff out for the next pickup,
 9 which was Tuesday, March 11. And when they didn't
 10 pick it up, which they usually don't pick it up on
 11 Tuesday for us, they usually pick it up, if they
 12 pick it up, on Wednesday.
 13 Q But it's scheduled for Tuesday for
 14 bulk pickup?
 15 A Scheduled for Tuesday and they almost
 16 never pick it up on that.
 17 Q Okay. So, go ahead with your story.
 18 A So, at the end of Tuesday, I called
 19 up and I talked to Kim. And I said, Kim, they
 20 didn't pick up again for us.
 21 She said, oh, they do pick up today. Where
 22 do you live?
 23 Berkeley.
 24 They said, no, where do you live in Berkeley?
 25 Oh, South Seaside Park. Oh, you probably won't get

1 picked up until tomorrow.
 2 I said okay. That's the usual.
 3 Well, they didn't pick us up on Wednesday.
 4 So, at the end of Wednesday, I called up and talked
 5 to Kim. I said, Kim, they didn't pick it up for us
 6 again today.
 7 She said, I'll talk to my supervisor. She
 8 got back on and said, well, they'll pick up
 9 tomorrow, Thursday.
 10 So, when they didn't pick up Thursday, I
 11 called up again and I said, Kim, what's going on?
 12 She said, oh, they're going to pick it up on
 13 Friday. And so, I didn't -- they didn't come on
 14 Friday.
 15 I called up again and Kim wasn't there. So,
 16 I said, when are you going to pick up my bulk
 17 pickup?
 18 And they said, it was last Tuesday.
 19 Q So, what office are you calling?
 20 A I don't remember offhand.
 21 MR. WINWARD: Probably the one that
 22 doesn't answer. I have the same problem.
 23 A No, they answer. They answer all the
 24 time and then tell me what they're going to do and
 25 then don't do it. And they actually said they'll

1 come on Saturday. They didn't come. I called on
 2 Monday. They didn't come.
 3 I said, could I please talk to a supervisor?
 4 They said, they'll call you right back. And
 5 they never did. And they never picked up.
 6 Q So, what did you do with the stuff
 7 that you first put out in December, then put for six
 8 or seven or eight days in March?
 9 A I had some work done on my driveway,
 10 so I had that guy haul it away. And there's some
 11 pictures here if you want.
 12 One of the things Kim did say at one point
 13 was, the supervisor said, well, does it look like
 14 garbage? Does it look like bulk pickup?
 15 And I said, yeah, I think it does.
 16 MR. WINWARD: We have to kind of wrap
 17 it up now.
 18 MR. MICHELINI: I think that's it
 19 pretty much.
 20 Q So, we'll just identify these
 21 pictures. Is there anything else you want to say?
 22 A The only thing I would really like to
 23 say is, I don't come to Mainland Berkeley. I've
 24 never been here. I live on the island. That's
 25 where I live. I come to these meetings. That's the

1 only time I come. And I come here if there's a
 2 variance. And if there's a variance and I come here
 3 because it affects me. It's on the end of my block.
 4 We've had a couple meetings about that. Invariably,
 5 for reasons that I understand, it gets canceled.
 6 So, I'm getting out of work early. Making the long
 7 trip over here. It gets canceled. Nobody tells us.
 8 And then we have to come again and again and again.
 9 And it just, it's really, it's really tough. So, I
 10 think I'll end with that.
 11 MR. WINWARD: If it's any
 12 consolation, I don't have a robo can either.
 13 THE WITNESS: According to this, you
 14 do.
 15 MR. WINWARD: I am going to call
 16 tomorrow to see if I can get one.
 17 (The Photographs were marked as A-17
 18 and A-18 for identification.)
 19 (Off the record.)
 20 MR. MICHELINI: Back on the record
 21 just briefly.
 22 Q Mr. Schwartz, could you identify A-17
 23 and A-18? Are those the items of bulk pickup that
 24 you spoke of? A-17 is the --
 25 A Yeah, A-17 was the door that I left

1 out for almost a week. And A-18 was some of my
2 neighbor's stuff.

3 Q Did the neighbor's stuff get picked
4 up also?

5 A No, never did.

6 MR. MICHELINI: All right. Thank you
7 very much.

8 MR. WINWARD: This concludes our
9 testimony on South Seaside Park for the evening.

10 (Matter adjourned.)

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I, LINDA SULLIVAN-HILL, a Notary

Public and Certified Court Reporter of the State of
New Jersey, do hereby certify that the foregoing is
a true and accurate transcript of the proceedings as
taken stenographically by and before me at the time,
place and on the date hereinbefore set forth.

Linda Sullivan Hill

~~Notary Public of the State of New Jersey~~

My Commission expires January 26, 2016

Dated: April 30, 2015