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December 11, 2023

Via Hand Delivery

Township of Union, Twp. Clerk
Union Township Municipal Building
140 Perryville Road
Hampton, NJ 08827

Re: **Claim for damages by Pattenburg Volunteer Fire Dept. against the State of New Jersey, Township of Union & Current/Former Officials, Administrators, Employees**
Our File No.: 3000.13

Dear Sir/Madam:

This office represents the Pattenburg Volunteer Fire Department in connection with its claims against the Township of Union.

Enclosed please find a Notice of Tort Claim against the Township of Union and their relevant individual officials, administrators, employees and/or others who have yet to be identified, on behalf of Claimant Pattenburg Volunteer Fire Department.

Should you have any questions or concerns, please do not hesitate to contact us.

Very truly yours,
KEARNS ROTOLO LAW


Anthony P. Kearns III, Esq.

APK/ad

Enc.

cc: Pattenburg Volunteer Fire Department

RECEIVED
MUNICIPAL CLERK'S OFFICE

DEC 11 2023

TOWNSHIP OF UNION
HUNTERDON COUNTY, NJ

Hand delivered

NEW JERSEY TORT CLAIM NOTICE

A. THE NAME AND POST OFFICE ADDRESS OF THE CLAIMANT

Jason Narbonne, (individually and as an officer of the Pattenburg Volunteer Fire Company), c/o Pattenburg Volunteer Fire Company, PO Box 5363, Clinton, NJ 08809;

All officers of the Pattenburg Volunteer Fire Company, c/o Pattenburg Volunteer Fire Company, PO Box 5363, Clinton, NJ 08809;

Pattenburg Volunteer Fire Company, PO Box 5363, Clinton, NJ 08809.

B. THE POST-OFFICE ADDRESS TO WHICH THE PERSON PRESENTING THE CLAIM DESIRES NOTICES TO BE SENT

Please direct correspondence and notices to: Anthony P. Kearns, III, Esq., Kearns Rotolo Law, 502 U.S. Route 22, Lebanon, NJ 08833. Telephone: 908 534-7900.

C. THE DATE, PLACE, AND OTHER CIRCUMSTANCES OF THE OCCURRENCE OR TRANSACTION WHICH GAVE RISE TO THE CLAIM ASSERTED

DATES: This claim is based on continuous wrongs and/or violations, extending from in/around May 15, 2018 through the present date. Moreover, Claimants have not yet discovered the full nature of the wrongs perpetrated, as complete information revealing such wrongs is not yet available to the Claimants.

PLACES:

To the best of Claimants' knowledge and present recollection, the known places of the wrongs were:

The Pattenburg Volunteer Fire Company fire station; 513 Pattenburg Rd, Asbury, NJ;

The Quakertown Fire Company fire station, 67 Quakertown Road, Pittstown, NJ;

The Union Township, Hunterdon County, NJ municipal building; 140 Perryville Rd, Hampton, NJ;

Board of Fire Commissioners, Franklin Township Fire District #1, 67 Quakertown Road, Pittstown, NJ;

The Alexandra Township municipal building, 242 Little York-Mt. Pleasant Road, Milford, NJ;

The Bethlehem Township municipal building, 405 Mine Rd, Asbury, NJ;

The State of New Jersey Department of Community Affairs, Division of Fire and Safety, 101 South Broad St., Trenton, NJ;

Offices of the County of Hunterdon, Office of Emergency Management, 201 Cherryville Road, Flemington, NJ;

Milford, NJ Fire Company fire stations, 21 Water St, Milford, NJ 08848 and 530 Little York-Mount Pleasant Rd, Milford, NJ;

Richard Lordi residence Union Township, Hunterdon County;

NJ; Route 78 near exit 11;

Skymanor Airport, Union Township, Hunterdon County;

Workplaces, residences, and social gathering places of the individuals set forth in this Claim; unknown locations within Union Township, Hunterdon County, Alexandra Township, Bethlehem Township, Milford Borough, NJ, and other presently unknown locations.

CIRCUMSTANCES OF THE OCCURRENCE OR TRANSACTION WHICH GAVE RISE TO THE CLAIM ASSERTED:

The Pattenburg Volunteer Fire Company is a 100% volunteer fire company located at 513 Pattenburg Rd., Union Twp., Hunterdon County, NJ. Pattenburg Volunteer Fire Company's active members provide primary fire protection and

rescue services to a 40 square mile area that covers portions of Union, Alexandria, and Bethlehem Townships.

Pattensburg Volunteer Fire Company's first-due response area is comprised of large single-family homes, light-industry and commercial business zones, farms and a segment of Interstate 78.

Several other fire companies also provide service to Union Township: (1) Quakertown Fire Company, 67 Quakertown Road, Franklin Twp., Hunterdon County, NJ; (2) the Clinton Fire Department, 1 New Street, Clinton, NJ; and (3) the High Bridge Fire Department, 7 Maryland Ave, High Bridge, NJ. At all relevant times, Union Township has paid these four organizations to provide service within Union County.

Union Township fire calls had been handled, typically, by the first company to respond, who then cancels the call for additional companies or otherwise handles, as appropriate.

Jason Narbonne has at all relevant times been an officer of the Pattensburg Volunteer Fire Company.

Frank Mazza is a long term Union Township resident and has at all relevant times been a Union Township committee member and also served as Mayor.

Marc Strauss was at all relevant times the Union Township Public Safety Director and the Clinton Township OEM coordinator.

Tim Weiss was at all relevant times a principal planner for the State of New Jersey Department of Community Affairs, Division of Fire and Safety.

Drew Stephens was at all relevant times the Hunterdon County Fire Coordinator.

Richard Lordi has been at all relevant times a Union Township committee member.

Charles Patkochis is a former chief of the Quakertown Fire Company and now is the head fire commissioner of the Franklin Township Fire District Number One. Brad Patkochis is currently and has been chief of the Quakertown Fire

Company. Tim Weiss has a close and friendly relationship with Charles and Brad Patkochis.

Frank Mazza and the Union Township Committee hired Marc Strauss in or about the summer of 2015 on the pretext that Union Township needed somebody to handle the fire call handling dispute between Quakertown Fire Company and Pattenburg Fire Company. The actual reason was that Mr. Mazza was seeking to shut down the Pattenburg Fire Company in favor of Quakertown Fire Company.

Marc Strauss had personal interests and friendships with Quakertown Fire Company. His main objective and goal was to help Quakertown Fire Company to go from a volunteer to a paid company and to accumulate more area for Quakertown Fire Company to justify appearing before the Hunterdon County Freeholders (n/k/a Commissioners) and demand that the County begin picking up the costs for the Quakertown Fire Company having a paid fire service.

Marc Strauss worked diligently together with a close friend of Quakertown Fire Company, Tim Weiss. Tim Weiss was a principal planner for the State of New Jersey Department of Community Affairs, Division of Fire and Safety. Tim Weiss spent most of his days as the area representative, and could usually be found at the Quakertown Fire Company, where he conducted his business countywide from that location.

On a fire call in or around May of 2018 on Route 78 near exit 11 in Union Township on the border of Bethlehem Township, Pattenburg Volunteer Fire Company needed to bring in a water supply source and called the Franklin Township Volunteer Fire Company for this assistance. The Franklin Township Fire Company was closer than Quakertown Fire Company to the incident site.

The next day after this call, Jason Narbonne was contacted by Drew Stephens. He told Jason Narbonne that there was a problem and that Jason Narbonne would have to attend a meeting with Tim Weiss and Marc Strauss because Jason Narbonne might be getting his credentials revoked, and may also be getting a substantial fine.

Drew Stephens stated to Jason Narbonne that a fire chief filed a complaint alleging that Jason Narbonne allegedly violated the New Jersey Deployment Act. Drew Stephens also stated that charges may be brought against Jason Narbonne at

the State level. Stephens, Weiss, and Strauss then allegedly needed to see what Jason Narbonne's position was going to be with regard to making changes to satisfy them so that the above described calling of another company to assist on Pattenburg Volunteer Fire Company's fire calls did not happen again.

Jason Narbonne met with Tim Weiss and Drew Stephens at the Pattenburg Volunteer Fire Company. They informed Jason Narbonne that Pattenburg Volunteer Fire Company should have called Quakertown Fire Company -- not Franklin Township -- which was closer to the call.

They wanted to review Pattenburg Volunteer Fire Company's firebox plans and if everything checked out they would take it from there and let Jason Narbonne know what their decision would be.

Unsatisfied with this information, Jason Narbonne called the State Division of Fire and Safety headquarters. Jason Narbonne spoke with Lou Kilmer and requested a meeting. Jason Narbonne told Lou Kilmer that he had some questions. Jason Narbonne did not tell Lou Kilmer the specific reason for the meeting.

Jason Narbonne drove to Trenton to the Department of Community Affairs, Division of Fire and Safety, to be greeted by Lou Kilmer and Richard Farletta, who at the time were the two individuals in charge of the Division of Fire Safety.

As Jason Narbonne arrived, Lou Kilmer and Richard Farletta were in full uniform and were curious as to why Jason Narbonne was there.

After a brief discussion, they both advised Jason Narbonne that they had absolutely no knowledge of any pending charges or any complaints against Jason Narbonne in the Division; and that they would be reaching out to Mr. Weiss and to Mr. Stephens.

Jason Narbonne never heard another word back from Stephens nor Weiss on this matter at all.

About three years later, Frank Mazza requested that Dan Vanfossen be removed as chief of the Pattenburg Volunteer Fire Company. After Vanfossen's removal Jason Narbonne, and Deputy Chief Mike Sadusky looked at the Pattenburg Volunteer Fire Company firebox system. They noticed that Pattenburg Volunteer

Fire Company needed to make some very long overdue changes, as some of the apparatus in those boxes was no longer in service and some of the response times of the respective fire companies responding was different due to lack of membership.

As the Pattenburg Volunteer Fire Company started making these changes, Strauss re-inserted himself and began provoking and giving the Pattenburg Volunteer Fire Company a very hard time about anything the Company wanted to do -- as a pretext to obtain control over the Pattenburg Volunteer Fire Company and to demand that the Pattenburg Volunteer Fire Company take certain actions that were not in its best interest.

Jason Narbonne had multiple meetings with Frank Mazza over breakfast and multiple times, Mazza stated that he would do whatever it takes to help the Pattenburg Volunteer Fire Company. He requested that the Pattenburg Volunteer Fire Company to move forward with its Fire Police Program. Pattenburg Volunteer Fire Company did so and had all the members trained. Pattenburg Volunteer Fire Company spent thousands of dollars on its Fire Police Program only for Mazza to shoot down and decline to support a Township ordinance to allow fire police to operate.

Moreover, Weiss and Strauss filed complaints contending that the Pattenburg Volunteer Fire Company was noncompliant and could not effectively answer fire calls. These complaints were false and defamatory. The Pattenburg Volunteer Fire Company was then audited by POSHA DOH and the New Jersey Division of Fire and Safety.

Before this audit and/or investigation even began, Jason Narbonne received a copy of an email sent to him through Alexandria Township. The email stated that the Quakertown Fire Company was contacted by the Pattenburg Volunteer Fire Company, allegedly stating that the Pattenburg Volunteer Fire Company was unable to answer its fire calls; that the Pattenburg Volunteer Fire Company had to utilize Quakertown Fire Company to cover its area; and that the Pattenburg Volunteer Fire Company did not have sufficient staffing or manpower. The statements were false and defamatory. This email/letter was issued by Charles Patkochis.

Immediately following the release of the Charles Patkochis letter, Tim Weiss issued a July 9, 2022 letter to the area Townships, basically restating the same false allegations as those contained in the Charles Patkochis letter.

Tim Weiss' allegations against the Pattenburg Volunteer Fire Company caused the Townships to withhold making payments to the Pattenburg Volunteer Fire Company for its services, as Weiss falsely claimed that the Pattenburg Volunteer Fire Company was completely incapacitated, unable to respond to any calls for service, that the Pattenburg Volunteer Fire Company's fire members were untrained, and that the Pattenburg Volunteer Fire Company's equipment was inadequate. The Weiss letter also stated falsely that Jason Narbonne was combative.

By issuing the letter (which had no State letterhead and/or designation) Tim Weiss effectively misrepresented that he was acting in his official capacity as principal planner for the State of New Jersey Department of Community Affairs, Division of Fire and Safety – when, in fact, that was not the case. Weiss never had the authority to issue the letter. He did so without the approval of the State of New Jersey.

Although Tim Weiss's successor/replacement for the State of New Jersey Department of Community Affairs, Division of Fire and Safety subsequently acknowledged that the Pattenburg Volunteer Fire Company was in full compliance with applicable regulations – neither Weiss nor the Division ever retracted the aforementioned defamatory letter.

The area Township Committees have advised Jason Narbonne that they believed Tim Weiss' letter was issued under State authority. Regardless of what the Pattenburg Volunteer Fire Company has later shown them, the Townships still believe that the Weiss letter was true and accurate, despite the fact that Weiss issued the letter with no State authorization.

Jason Narbonne subsequently asked Tim Weiss to refrain from issuing false and defamatory letters about the Pattenburg Volunteer Fire Company, however, Tim Weiss stated he had no knowledge of it, and that it was done without his knowledge.

The State later re-assigned Tim Weiss back to Trenton.

When Jason Narbonne became chief of the Pattenburg Volunteer Fire Company, Jason Narbonne approached the Quakertown Fire Company, spoke with Brad Patkochis, (Quakertown Chief at that time), and tried to develop and/or improve the relationship between these organizations by making a dual firebox program that would have both organizations responding to calls together so that they could appropriately meet NFPA 1720 standards of getting six fire members on every single fire call as a minimum. Brad Patkochis agreed and thought it was a great idea.

However, the new fire box program/plan was never implemented. Instead, the aforementioned defamatory statements continued.

Chief Nathan Fleck of the Milford, NJ Fire Company was also an integral part in spreading false information about the Pattenburg Volunteer Fire Company. Nathan Fleck worked diligently along with Brad Patkochis and commissioner Charles Patkochis to ensure that Alexandria Township would no longer work with the Pattenburg Volunteer Fire Company and to remove the Pattenburg Volunteer Fire Company as the primary service provider for the area it covered for Alexandria Township.

Richard Lordi became close friends and allies with Quakertown Fire Company, Marc Strauss and Tim Weiss. He made it a personal mission to close the Pattenburg Volunteer Fire Company. He repeatedly insisted that the Pattenburg Volunteer Fire Company was inadequate even though he was told otherwise by the State, who advised him that the Pattenburg Volunteer Fire Company was in full compliance with relevant State regulations.

Richard Lordi repeatedly attempted to show the Union Township Committee members that the Pattenburg Volunteer Fire Company cannot answer calls, that Pattenburg Volunteer Fire Company was unsafe, and that the Pattenburg Volunteer Fire Company needed to be shut down.

Along with Frank Mazza, Richard Lordi repeatedly communicated with both Tim Weiss and the Quakertown Fire Department in a communal effort to close Pattenburg Volunteer Fire Company.

In July 2022, Richard Lordi had a 38 minute-long illegal fireworks display at his house. Lordi was eventually charged and was assessed a small fine. Lordi believed that Jason Narbonne was behind Lordi being charged.

After this, Lordi engaged in retaliatory conduct against Jason Narbonne and the Pattenburg Volunteer Fire Company by: (1) slandering Jason Narbonne's name in public by calling Jason Narbonne a criminal thief and a liar; and (2) colluding with the two other Townships that the Pattenburg Volunteer Fire Company served (Alexandria Township and Bethlehem Township) to withhold monies from the Pattenburg Volunteer Fire Company.

Richard Lordi was required to recuse himself from any and all Union Township Committee decisions with regard to fire coverage. However, he failed to do so, and participated in multiple executive sessions that addressed fire coverage issues.

Moreover, in a further act of retaliation, Rich Lordi was instrumental in issuing a Rice notice to Jason Narbonne, a matter regarding which he was also required to recuse himself. Lordi also improperly participated in a September 11, 2023 Rice hearing regarding Jason Narbonne, which also otherwise violated Narbonne's rights with regard to important procedural issues.

The above referenced improper and illegal interference with the Pattenburg Volunteer Fire Company by State employee Tim Weiss, Union Township officials Frank Mazza, Richard Lordi and Marc Strauss and continues to date, and have caused the Pattenburg Volunteer Fire Company to be falsely viewed as non-complaint, inefficient and incompetent to serve the community. Those actions have also caused other Townships to withhold funding from the Pattenburg Volunteer Fire Company and put the Company in financial circumstances where it can no longer afford to survive or provide adequate new gear or maintenance on its trucks, as the Pattenburg Volunteer Fire Company no longer has the monies that it had prior to the issuance of Tim Weiss's defamatory letter.

D. A GENERAL DESCRIPTION OF THE INJURY, DAMAGE OR LOSS INCURRED SO FAR AS IT MAY BE KNOWN AT THE TIME OF PRESENTATION OF THE CLAIM

Interference with economic advantage, discriminatory treatment, collusion, official misconduct and bad faith by public officials and employee(s), retaliation and related causing loss of reputation, government and other funding, and first responder status, with the intent to shut volunteer fire company down in favor of other fire companies. Amount of loss is unknown, is still accruing, and unliquidated.

E. THE NAME OR NAMES OF THE PUBLIC ENTITY, EMPLOYEE OR EMPLOYEES CAUSING THE INJURY, DAMAGE OR LOSS, IF KNOWN

State of New Jersey Department of Community Affairs, Division of Fire Safety;

The County of Hunterdon;

Quakertown Fire Company;

Milford, NJ Fire Company;

Board of Fire Commissioners, Franklin Township Fire District #1;

Union Township, Hunterdon County;

Charles Patkochis of the Quakertown Fire Company, and Board of Fire Commissioners, Franklin Township Fire District #1;

Brad Patkochis of the Quakertown Fire Company;

Nathan Fleck of the Milford, NJ Fire Company;

Present and past commissioners of Board of Fire Commissioners, Franklin Township Fire District #1;

Tim Weiss of the State of New Jersey Department of Community Affairs, Division of Fire Safety;

Marc Strauss of Union Township, Hunterdon County;

Richard Lordi of Union Township, Hunterdon County;

Frank Mazza of Union Township, Hunterdon County;

Drew Stevens (a/k/a Drew Stephens), County Fire Coordinator, Hunterdon County Office of Emergency Management and Board of Fire Commissioners, Franklin Township Fire District #1;

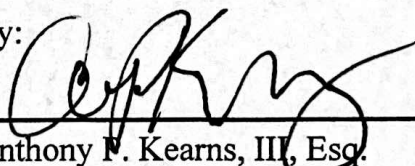
Other individuals and entities presently unknown.

F. THE AMOUNT CLAIMED AS OF THE DATE OF PRESENTATION OF THE CLAIM, INCLUDING THE ESTIMATED AMOUNT OF ANY PROSPECTIVE INJURY, DAMAGE, OR LOSS, INsofar AS IT MAY BE KNOWN AT THE TIME OF THE PRESENTATION OF THE CLAIM, TOGETHER WITH THE BASIS OF COMPUTATION OF THE AMOUNT CLAIMED.

\$5,000,000. Damages are unliquidated and thus not subject to computation.

KEARNS ROTOLO LAW
Attorneys for Claimants

By:



Anthony F. Kearns, III, Esq.

Dated: December 11, 2023