

INITIAL NOTICE OF CLAIM FOR DAMAGES AGAINST THE STATE OF NEW JERSEY

FORWARD TO: TORT AND CONTRACT UNIT
 Borough of Buena
 Municipal Center
 616 Central Ave.
 Minotola, NJ 08431

FORM MUST BE FILED WITHIN 90 DAYS OF THE ACCIDENT OR YOU MAY FORFEIT YOUR RIGHT

1. CLAIMANT: SEE EXHIBIT A - LIST OF ADDITIONAL CLAIMANT

Barbagli Kenneth _____
 LAST NAME FIRST MIDDLE

 DATE OF BIRTH

 STREET ADDRESS

 MAILING ADDRESS IF OTHER THAN STREET ADDRESS 08344

 CITY STATE ZIP CODE

 SOCIAL SECURITY NUMBER

2. IF NOTICES AND CORRESPONDENCE IN CONNECTION WITH THIS CLAIM ARE TO BE SENT TO A PERSON OTHER THAN CLAIMANT, COMPLETE ITEM #2.

Corinne M. Mullen, Esq. - The Mullen Law Firm
 NAME
Secaucus, NJ 07094
 CITY STATE ZIP CODE

110a Meadowlands Parkway, Suite 101
 MAILING ADDRESS

RELATIONSHIP TO CLAIMANT: ATTORNEY AT LAW ☒ OR _____
 EXPLAIN RELATIONSHIP

THE OCCURRENCE OR ACCIDENT WHICH GAVE RISE TO THIS CLAIM:

3a. _____ (see attached)
 DATE TIME

b. DESCRIBE THE LOCATION OR PLACE OF THE ACCIDENT OR OCCURENCE.

Buena Borough
 MUNICIPALITY

102 W Arbor Ave, Landisville, NJ 08326
 EXACT LOCATION OF THE OCCURRENCE

- c. DESCRIBE HOW THE ACCIDENT OR OCCURENCE HAPPENED: IF A DIAGRAM WILL ASSIST YOUR EXPLANATION, PLEASE USE THE REVERSE SIDE OF THIS FORM.

Former Captain; Brian Rowan - used POSHA Inspection as a tool to carry out his plan to ~~take~~ shut down the fire department. I stepped up, successfully addressed all violations and my name was Subject to Stands

- d. STATE THE NAME AND ADDRESS OF THE STATE AGENCY OR AGENCIES THAT YOU CLAIM CAUSED YOUR DAMAGE.
- Buena Borough - 660 Central Ave.
Minotola, NJ 08341.

STATE THE NAMES OF STATE EMPLOYEES WHOM YOU CLAIM WERE AT FAULT, INCLUDING ANY INFORMATION THAT WILL ASSIST IN IDENTIFYING AND LOCATING THEM.

Buena Borough Mayor & Council.
Joseph Kaspar
Brian Rowan.
Pamela Grenier

*This list is non-exhaustive. All town, mayor, and council members shall be named in this court claim.

- e. STATE THE NEGLIGENCE OR WRONGFUL ACTS OF THE STATE AGENCY AND STATE EMPLOYEES WHICH CAUSED YOUR DAMAGES.

Alleged Sexual harassment - per former Council Member Boro Mayor & Council Refused to speak w/ me and furthermore never mentioned any thing about the alleged Sexual Harassment. Therefore, I was never aware and my name was being trashed.

- f. STATE THE NAME AND ADDRESS OF ALL WITNESSES TO THE ACCIDENT OR OCCURRENCE.

Susan Romeo Charlie Gazzara - Judith Annunzi
Carrie Mercurio Greg McAlreddy - Ricky Corluzzo
Claudia Barbogli Vincent Sciarrone
Leonard Smith Loretta Gazzara
Vincent Jones

- g. STATE THE NAMES OF ALL POLICE OFFICERS AND POLICE DEPARTMENTS WHO INVESTIGATED THIS ACCIDENT.

Atlantic County Prosecutors Office.

Text

4a. CLAIM FOR DAMAGES (CHECK APPROPRIATE BLOCK):

☒ PERSONAL INJURY ☐ PROPERTY DAMAGE

☒ OTHER - EXPLAIN IN DETAIL

Defamation of Character.

Disparate treatment, age discrimination, improper conduct, retaliation, loss of income, "LOSAP" employment benefits, financial losses, loss of professional opportunities, damage to reputation, loss of community standing.

b. IF YOU CLAIM PERSONAL INJURY:**(1) DESCRIBE YOUR INJURIES RESULTING FROM THIS ACCIDENT OR OCCURRENCE.**

Marriage Issues / Loss of Sleep.
 impotent / loss of Confidence in the
 System. ~~Anger~~

(2) DO YOU CLAIM PERMANENT DISABILITY RESULTING FROM THIS INJURY:

☒ YES ☐ NO

IF YES, DESCRIBE THE INJURIES BELIEVED TO BE PERMANENT.

Impotent

(3) FOR EACH HOSPITAL, DOCTOR OR OTHER PRACTITIONER RENDERING TREATMENT, EXAMINATION OR DIAGNOSTIC SERVICES, STATE:

NAME OF HOSPITAL, DOCTOR OR OTHER FACILITY	ADDRESS	DATES OF TREATMENT OR SERVICE	AMOUNT OF CHARGE TO DATE	AMT. PAID OR PAYABLE BY OTHER SOURCE SUCH AS INSURANCE

(4) IF YOU CLAIM LOSS OF WAGE OR INCOME AS A RESULT OF THE INJURY STATE:

Landisville Volunteer Fire and Rescue Company

NAME OF EMPLOYER

Volunteer Fire Fighter

YOUR OCCUPATION

Length of service award program (LOSAP) was
 denied because the Fire Station was shut down.

RATE OF PAY

\$1550 per individual plaintiff/per year

TOTAL LOSS WAGES TO DATE

102 W Arbor Ave, Landisville, NJ 08326

ADDRESS OF EMPLOYER

DATE YOU BECAME EMPLOYED

DATE OF ABSENCE FROM WORK

IF STILL OUT, EXPECTED DATE OF RETURN

NOTE: IF YOUR CLAIMED LOSS OF INCOME ARISES FROM SELF-EMPLOYMENT OR OTHER THAN WAGE, ATTACH A CALCULATION SHOWING THE BASIS OF YOUR CALCULATION OF LOST INCOME.

(5) SET FORTH ANY AND ALL OTHER LOSSES OR DAMAGE CLAIMED BY YOU.

Time / personal Money < \$500.00 / Damage
Reputation interests and costs of this action, reasonable attorney fees

C. IF YOU CLAIM PROPERTY DAMAGE:

(1) DESCRIBE THE PROPERTY DAMAGED.

Reputation

(2) THE PRESENT LOCATION AND TIME WHEN THE PROPERTY MAY BE INSPECTED.

(3) DATE PROPERTY ACQUIRED.

(4) COST OF PROPERTY

\$

(5) VALUE OF PROPERTY AT TIME OF ACCIDENT: \$

(6) DESCRIPTION OF DAMAGE.

(7) HAS THE DAMAGE BEEN REPAIRED?

IF SO, BY WHOM, WHEN AND COST OF REPAIRS.

(8) ATTACH EACH ESTIMATE OF REPAIR COSTS TO THIS FORM.

(9) SET FORTH IN DETAIL THE LOSS CLAIMED BY YOU FOR PROPERTY DAMAGE.

d. SET FORTH IN DETAIL ALL OTHER ITEMS OF LOSS OR DAMAGES CLAIMED BY YOU AND THE METHOD BY WHICH YOU MADE THE CALCULATION.

5. THE AMOUNT OF THE CLAIM. _____

6. HAVE YOU MADE A CLAIM AGAINST ANYONE ELSE FOR ANY OF THE LOSSES OR EXPENSES CLAIMED IN THIS NOTICE?

NO

IF YES, SET FORTH THE NAME AND ADDRESS OF ALL PERSONS AND INSURANCE COMPANIES AGAINST WHOM YOU HAVE MADE SUCH CLAIMS:

N/A

7. ARE ANY OF THE LOSSES OR EXPENSES CLAIMED HEREIN COVERED BY ANY POLICY OF INSURANCE?

NO

FOR EACH SUCH POLICY, STATE THE NAME AND ADDRESS OF THE INSURANCE COMPANY, POLICY NUMBER AND BENEFITS PAID OR PAYABLE

8. HAVE YOU RECEIVED OR AGREED TO RECEIVE ANY MONEY FROM ANYONE FOR THE DAMAGES CLAIMED HEREIN?

☐ YES ☒ NO

IF YES, SET FORTH THE DETAIL OF SUCH AGREEMENT.

9. THE FOLLOWING ITEMS MUST BE SUBMITTED WITH THIS NOTICE:

- (1) COPIES OF ITEMIZED BILLS FOR EACH MEDICAL EXPENSE AND OTHER LOSSES AND EXPENSES CLAIMED.
- (2) FULL COPIES OF ALL APPRAISALS AND ESTIMATES OF PROPERTY DAMAGE CLAIMED BY YOU.
- (3) COPIES OF ALL WRITTEN REPORTS OF ALL EXPERT WITNESSES AND TREATING PHYSICIANS.
- (4) A LETTER FROM YOUR EMPLOYER VERIFYING YOUR LOST WAGES. IF SELF-EMPLOYED, A STATEMENT SHOWING THE CALCULATION OF YOUR CLAIMED LOST INCOME.

I HEREBY CERTIFY THAT THE FOREGOING STATEMENTS MADE BY ME ARE TRUE. THAT THE ATTACHED STATEMENTS, BILLS, REPORTS AND DOCUMENTS ARE THE ONLY ONES KNOWN TO ME TO BE IN EXISTENCE AT THIS TIME. I AM AWARE THAT IF ANY STATEMENT MADE HEREIN IS WILLFULLY FALSE OR FRAUDULENT, THAT I AM SUBJECT TO PUNISHMENT PROVIDED BY LAW.

9/23/21

DATE

CLAIMANT OR PERSON FILING ON BEHALF OF CLAIMANT

EXHIBIT A

ADDITIONAL CLAIMANT

Landisville Volunteer Fire & Rescue Co.
102 W. Arbor Ave.
P.O. Box 305
Landisville, NJ 08326



Ken Barbagli <kbsepticllc@gmail.com>

text to Walker

Susan Romeo <suzie1nj86@gmail.com>
 To: Ken Barbagli <kbsepticllc@gmail.com>

Fri, Jul 23, 4:11 PM

Use this info for your text

Dear Mr. Walker, this is Ken Barbagli. I met you at the Landisville Fire Department last month. I do appreciate you coming out and checking to see everything that the men and women of Landisville Fire have accomplished at the fire hall. I know you are aware that everything at the firehouse had been completed, approved by the state and was ready to be reopened. Mayor Zappariello stated on July 12 the Boro was going to open us because we completed all violations against us once our paperwork was approved. Now, it just came to my attention that a former council member called Susan Romeo and told her that the reason you closed the fire department was because the Boro was going to receive a lawsuit from Lindsey Finerfrock claiming sexual harassment against me. I can assure you that I have never, and would never, do anything like this. I wish someone would have contacted me prior to closing the firehouse down or do an investigation so my name could be cleared and find out the real reason the fire department was closed. I took it upon myself to obtain an attorney, to sue the Boro for this action. We will subpoena all those involved. I also turned this into the prosecutor's office, with a written statement for them to begin an investigation. Like yourself, I have always been respected. People are now talking behind my back because of this slander and thinking things of me that are just not true. Would you be available to meet with me in person or talk over the phone to help me find out where this all started? After talking with you, I know you are an honest man and I would do the same for you if it was the other way around. Please let me know you got this text. Thank you. Ken

Note:

On Oct 9, 2020 @ 11:47 PM
 Ken told OEM coordinator to "Get off
 his Fire Scene"
 Clearly this is where it all Began!
 #CarrieMercurio.

Landisville Fire Company

100 W. Arbor Ave.

Buena, NJ 08326

August 10, 2020

Explanation to all members- RE: Kenneth Barbagli Absence from Meetings and on calls.

I have asked for Judy to read this letter in my absence from tonight's meeting.

Remember these are my words and Judy is just the Messenger!

To whom it may concern,

My main objective is to provide all members with an explanation for my absence.

Regretfully, I am at the mercy of Joe Casper's procurement of a letter Stating I was never Suspended. This is the unfortunate course of action I have to take in order to protect myself from all angles. Despite Joe Casper's "Text Message" stating my suspension has been lifted, I am still suspended from the Fire Company. I have been suspended since the nineteenth of May, when Joe Casper "Formally suspended me from the Landisville Fire Company via Text message. I've attached the exact message I received for all to see.

On July 6, 2020 a commissioners meeting was held. My self and Joe Casper were called into the office with the commissioners. The commissioners confirmed that I was "wrongfully" suspended and agreed that Joe would be responsible for obtaining the letter I requested. He was also told that he had to figure out how and when I would be credited all the time lost during the, admitted "wrongful Suspension". I explained to the commissioners my concerns regarding voting eligibility. The commissioners assured me that the time would be credited to reflect that there was never a suspension. This will prevent me from losing my right to vote.

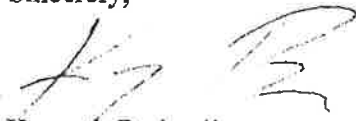
Clearly, I would like to be in attendance tonight and on all calls. However it has become evident that Joe Casper's intentions are not to get me back. This could be perceived in his inability to provide me with a letter stating that the suspension made by him on May 19, 2020 was not only unethical but more importantly, unjustified and illegal.

In short, I requested that the person responsible for my; "wrongful suspension" acknowledge their wrongdoing and state that Kenneth Barbagli's "Suspension" NEVER existed. I also requested that the letter reflect that all time lost as a result of said; "suspension" be credited to reflect as if; "the suspension never Happened"! He was ordered by the commissioners to get it done and I still do not have it.

As a result of (2) wrongful suspensions made by Joe Casper within two weeks of being appointed chief, the fire company was understaffed and barely able to keep up with the influx of incoming calls this weekend due to the storm power outages. Specifically, truck 11-11 went out with one firefighter and Judy. While Truck 11-16 went out with just one person. Even worse, Truck 11-15 (Allegedly out of service) went out with two people.

I want to remind all interested parties that prior to Joe Casper being appointed chief I held a 90-95% response to calls over my entire career as a volunteer firefighter. Hopefully, everyone can start working together on making this company unified and successful.

Sincerely,



Kenneth Barbagli

Corinne M. Mullen, Esq.
The Mullen Law Firm
110a Meadowlands Parkway, Suite 101
Secaucus NJ 07094
tinamullenlaw@gmail.com



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Tort and Contract Unit
Borough of Buena
Municipal Center
616 Central Ave.
Minotola NJ 08431
USA



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