

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

SUZANNE VISCOMI,

Plaintiff,

v.

BOROUGH OF RED BANK, WILLIAM J.
PORTMAN, KATE L. TRIGGIANO, KRISTINA
BONATAKIS, DAVID CASSIDY, NANCY
FACEY-BLACKWOOD, BEN FOREST, LAURA
JANNONE, JOHN AND JANE DOES (1-10), in
their individual and official capacities under color
of State law, and JULIE FLORES CASTILLO,

Defendants.

CIVIL ACTION NO.

COMPLAINT and JURY DEMAND

Suzanne Viscomi, by way of Complaint against the Defendants, herein states and alleges as follows:

JURISDICTION AND VENUE

1. This case arises under the United States Constitution, the Constitution of the State of New Jersey, and the laws of the United States and the State of New Jersey and therefore presents a federal question within this Court's jurisdiction under Article III of the federal Constitution and 28 U.S.C. §§ 1331 and 1343. The Court has supplemental jurisdiction over Plaintiff's state law claims pursuant to 28 U.S.C. § 1367.

2. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b)(2), in that the events or omissions giving rise to these claims occurred in the District of New Jersey.

PARTIES

3. Plaintiff Suzanne Viscomi ("Plaintiff" or "Ms. Viscomi") is a citizen of the United

States of America residing in the State of New Jersey, with an address of 25 Cedar Street, Red Bank, NJ 07701, and is entitled to all the rights, privileges, and immunities secured by the Constitution and laws of the United States and the State of New Jersey.

4. Defendant Borough of Red Bank (“Red Bank” or the “Borough”) is a governmental body in the State of New Jersey, County of Monmouth, organized under Title 40A of the New Jersey Statutes, with a principal address located at 90 Monmouth Street, Red Bank, NJ 07701.

5. Defendant William J. Portman (“Portman”) is a resident of the State of New Jersey and was, at all times relevant herein, the Mayor of Red Bank, and acted in his individual and official capacities under color of State law.

6. Defendant Kate L. Triggiano (“Triggiano”) is a resident of the State of New Jersey and was at all times relevant herein, the Deputy Mayor and a Councilmember of Red Bank, and acted in her individual and official capacities under color of State law.

7. Defendant Kristina Bonatakis is a resident of the State of New Jersey and was at all times relevant herein, a Councilmember of Red Bank, and acted in her individual and official capacities under color of State law.

8. Defendant David Cassidy is a resident of the State of New Jersey and was at all times relevant herein, a Councilmember of Red Bank, and acted in his individual and official capacities under color of State law.

9. Defendant Nancy Facey-Blackwood is a resident of the State of New Jersey and was at all times relevant herein, a Councilmember of Red Bank, and acted in her individual and official capacities under color of State law.

10. Defendant Ben Forest is a resident of the State of New Jersey and was at all times relevant herein, a Councilmember of Red Bank, and acted in his individual and official capacities

under color of State law.

11. Defendant Laura Jannone is a resident of the State of New Jersey and was at all times relevant herein, a Councilmember of Red Bank, and acted in her individual and official capacities under color of State law.

12. Defendants Bonatakis, Cassidy, Facey-Blackwood, Forest, and Jannone are collectively referred to herein as the “Councilmember Defendants.”

13. Defendants Borough of Red Bank, Portman, Triggiano, and the Councilmember Defendants are collectively referred to herein as the “Borough Defendants.”

13. Defendant Julie Flores Castillo (“Castillo”) is a resident of the State of New Jersey with an address of 234 Dr. James Parker Boulevard, Red Bank, NJ 07701, and is liable for certain torts alleged herein.

14. Defendants John Doe and Jane Doe (1-10) are employees and officials of the Borough, as yet unidentified, who may be found to have been responsible for the actions that are the subject matter of this complaint.

PERTINENT FACTS

A. Plaintiff’s Dedication to Public Service in Red Bank

15. Ms. Viscomi was born in Ecuador and adopted as an infant by her parents, who are U.S. citizens.

16. Ms. Viscomi has resided in Red Bank for over 20 years.

17. An accountant by trade, Ms. Viscomi has devoted the last fifteen (15) years to public service to the Borough, serving multiple terms as a Trustee of the Borough Library Board of Trustees (“Library Board”), Member of the Borough Board of Education (including as the current President), Member of the Borough Animal Welfare Committee, and regularly attending

meetings of the Borough Council, Planning Board, Zoning Board of Adjustment, and other municipal entities. Over the years, Ms. Viscomi has also volunteered for various Borough events and organizations.

18. For the last fourteen (14) years, Ms. Viscomi has video recorded and live-streamed Borough Council meetings to bring transparency and accountability to Borough government. She posts her recordings on a public YouTube channel and Facebook. These recordings are frequently used by local news organizations as source material for reporting on Borough affairs.

19. At these meetings, Ms. Viscomi actively participates in civic engagement, respectfully raising questions and engaging with Borough officials on a range of issues concerning good governance practices, transparency, and accountability, including, but not limited to, the Borough's budget, quality of life issues, ordinances and regulations, labor and employee relations, capital projects, planning and zoning, and licensing, among other important matters of public concern.

20. Ms. Viscomi ran for Borough Council in 2012 as a Republican candidate, and in 2018 and 2021 as a non-party candidate. While she was not elected to Borough Council, she continued her public service to the Borough by serving on various boards and committees, volunteering at Borough events, and attending Borough Council meetings where she engaged in protected speech on matters of public interest.

21. Former Borough Mayor Pat Menna appointed Ms. Viscomi, with the approval of the Borough Council, to the position of Trustee of the Library Board for a five-year term beginning January 2018, pursuant to his authority under N.J.S.A. 40:54-9.

22. Of particular relevance to this case, in January 2023, Defendant Portman reappointed Ms. Viscomi, with the approval of the Borough Council, to the position of Trustee on

Library Board for another five-year term, pursuant to his authority under N.J.S.A. 40:54-9.

23. The Library Board of Directors elected Ms. Viscomi to the position of Treasurer for multiple terms and then to Vice President in 2024.

24. In or around March-May 2023, Ms. Viscomi ran for election to the Borough Council on the “Dedicated to Red Bank” ticket in the Borough’s non-partisan election. She campaigned on the promise that she would continue her efforts as a watchdog for Borough residents championing accountable and transparent governance.

25. In May 2023, the Red Bank voters elected Defendant Portman as Mayor and Defendant Triggiano along with four other members of the “Red Bank’s Ready” ticket. The “Red Bank’s Ready” ticket won a sweep of all six seats on the Borough Council.

26. After the election, Ms. Viscomi continued serving diligently in an elected position on the Borough Board of Education and the appointed position of Trustee of the Library Board.

27. In addition, Ms. Viscomi continued to attend and record meetings of the Borough Council and other Borough entities and continued to participate in civic engagement, respectfully raising questions and engaging with Borough officials on issues of public concern during the “Public Questions and Comments” portions of the meetings.

B. Triggiano Pressures the Library Board to Investigate a Sham Allegation of Racism Against Ms. Viscomi

28. On or about November 21, 2024, Library Board President, Ann Goldman, advised Ms. Viscomi in a meeting between she, Ms. Viscomi, and Stephen Hecht, Chairman of the Library Board Personnel Committee, that an allegation had been made against Ms. Viscomi. Ms. Goldman did not advise Ms. Viscomi of the specifics of the allegation, who made it, when it was made, or what evidence had been submitted in support of the allegation.

29. Ms. Goldman stated that she first learned of the allegation two weeks prior. Ms.

Goldman stated that a council member (later revealed to be Triggiano) was pressuring a library employee (later revealed to be then-Library Director Eleni Glykis (“Glykis”)) to make a complaint against Ms. Viscomi.

30. Mr. Hecht stated words to the effect that the Glykis was being “distressed” by an elected official (later revealed to be Triggiano).

31. Ms. Viscomi cooperated fully with the Library Board’s investigation of the allegation.

32. As part of the Library Board’s investigation, Library Board counsel interviewed Plaintiff on or about March 19, 2025.

33. At the interview, Ms. Viscomi gained her first insight into the substance of the allegation made against her. The allegation was apparently related to a complaint involving Castillo and concerned a conversation Ms. Viscomi allegedly had with Glykis in or around December 2023, about Castillo’s immigration status.

34. Ms. Castillo later learned that the thrust of the false allegation was that Ms. Viscomi allegedly made a derogatory remark about Castillo’s immigration status to Glykis in December 2023. Glykis then told another employee, Itzel Hernandez, about the comment. Ms. Hernandez then told Castillo about the comment, who complained to Triggiano about it.

35. During the interview by the Library Board’s attorney, Ms. Viscomi expressly and emphatically denied making any derogatory statement about Castillo or her immigration status.

36. The investigation confirmed that Triggiano had brought Castillo’s complaint to Glykis on October 23, 2024, approximately a year after the alleged incident. Triggiano was the council member who had pressured Glykis to bring the complaint, exactly as told to Ms. Viscomi by Ms. Goldman and Mr. Hecht.

37. Upon information and belief, Triggiano, with the knowledge and approval of Defendant Portman and the Councilmember Defendants, pressured Glykis to make the complaint against Ms. Viscomi in order to damage Ms. Viscomi's reputation in the community and hurt her future chances of holding elected or appointed office in the Borough.

38. The Library Board investigated the allegation and properly declined to take any action against Ms. Viscomi. The Library Board determined that the allegation was stale and supported solely by inadmissible triple hearsay, i.e., what Castillo heard from Ms. Hernandez, who heard it from Glykis, who heard it from Ms. Viscomi. Thus, the matter was closed.

39. There was no credible evidence that Ms. Viscomi made the alleged statement, and no law would have been broken even if she had made the statement, which she did not.

C. The Borough Defendants Label Plaintiff a "Racist" and a "Xenophobe" and Unconstitutionally Remove Her from the Library Board

40. The matter should have ended there.

41. However, not satisfied with the Library Board's investigation and determination to exonerate Ms. Viscomi, Triggiano, with the approval and support of Portman and the Councilmember Defendants, continued her efforts to damage Ms. Viscomi's reputation in the community and hurt her chances of holding future elected or appointed office in the Borough.

41. On or about June 30, 2025, the Borough wrote to Ms. Viscomi to advise her that "Mayor Portman has decided to conduct proceedings concerning your removal from the Red Bank Public Library Board of Trustees based on statements attributed to you that are racist and xenophobic."

42. The Borough went on to say that, "[b]ecause the Mayor has the power to appoint Library Trustees, you serve at his pleasure and may be removed for misconduct or for conduct that casts the Borough in a negative light."

43. This is an inaccurate statement of the law, as a mayor may only remove a Library Trustee for chronic absenteeism under state law. There is no statute which permits a mayor to remove a duly-appointed Library Trustee for any other reason, with cause or without cause.

44. The Borough then advised Ms. Viscomi that its attorney, Jonathan Cohen, would conduct a “hearing” which it described as “informal and non-adversarial in nature, with no sworn testimony or presentation of witnesses.”

45. On July 8, 2025, Ms. Viscomi participated in the “informal hearing” conducted by the Borough’s attorney.

46. The purported “informal hearing” was conducted in violation of Ms. Viscomi’s constitutional right to due process.

47. Ms. Viscomi was not provided with adequate notice or opportunity to prepare for the “informal hearing.”

48. The “informal hearing” consisted of the Borough’s attorney interrogating Ms. Viscomi for an hour and a half. Ms. Viscomi again vehemently denied saying anything derogatory about Castillo’s immigration status to Glykis in December 2023, January 2024, or at any other time.

49. Glykis—the sole alleged witness to the purported statement—was not present at the hearing. Nor was Ms. Hernandez, the second witness in the triple hearsay chain, or Castillo, the third witness in the triple hearsay chain, or Triggiano, who pressured Glykis to bring the complaint in the first place. Ms. Viscomi had no opportunity to confront the Borough’s witnesses against her.

50. The Borough Defendants, through their attorney, did not administer an oath to Ms. Viscomi, further depriving her of her constitutional right to due process.

51. On July 24, 2025, at a public meeting of the Borough Council, the Borough attorney

laid out the allegations against Ms. Viscomi in excruciating detail and recommended that Mayor Portman remove Ms. Viscomi from her appointed position because “it was more likely than not” that she was a racist and a xenophobe.

52. During such presentation, the Borough Defendants, through their attorney, made multiple statements designed to harm Ms. Viscomi’s reputation in the community, her credibility as public official, and her future chances of being elected or appointed to public service in the Borough, including:

- a. That Ms. Viscomi made racist and xenophobic statements about Castillo;
- b. That Ms. Viscomi “lacked credibility”;
- c. That Ms. Viscomi showed “no remorse” for her alleged statements (ignoring her categorical denials);
- d. That Ms. Viscomi “does not represent the values” of the Red Bank community; and
- e. That immigrants like Ms. Viscomi sometimes attack other immigrants.

53. While some members of the public spoke in support of Ms. Viscomi, other residents, including Castillo, made additional defamatory statements about Ms. Viscomi.

54. The Council Meeting Public Proceeding devolved into a humiliating public character assassination of Ms. Viscomi, orchestrated by the Borough Defendants.

55. Defendant Portman, with the unanimous consent of Triggiano and the Councilmember Defendants, then adopted the Borough Attorney’s recommendation and removed Ms. Viscomi from her position as Library Board Trustee, effective immediately.

D. Defendants’ Motivation for Attacking Plaintiff is Revealed as a Political Hit Job

56. On July 28, 2025, four (4) days after the unconstitutional removal of Ms. Viscomi

from the Library Board of Trustees and the public defamation and assassination of her character orchestrated by the Borough Defendants, Castillo filed as a candidate for the Red Bank Board of Education election. She is supported in her candidacy by Triggiano, Portman, and the Councilmember Defendants. The election is taking place on November 4, 2025. Early voting commenced on September 20, 2025.

57. Ms. Viscomi, the current President of the Red Bank Board of Education, is also a candidate in the same election.

58. On or around August 11, 2025, Castillo circulated a public petition stating that “two independent investigations” concluded that Ms. Viscomi made a “xenophobic comment suggesting that a community member and a former student ‘should be deported.’” This statement is false. In fact, the Library Board’s independent counsel recommended no action, and the Borough Attorney never conducted an independent investigation but rather relied on incomplete information and failed to interview the primary alleged sole witness, among others.

59. On or about August 12, 2025, Castillo stated in a public meeting of the Red Bank Board of Education that Ms. Viscomi said that “I should be deported.” This statement is false and defamatory.

60. Castillo caused similar defamatory statements to be posted on several social media outlets.

61. Castillo colluded with Defendants Triggiano, Portman and the Councilmember Defendants and others to remove Ms. Viscomi from her appointed position, defame and slander Ms. Viscomi’s character, destroy her reputation, harm her reelection campaign for the Board of Education in 2025, and foreclose her ability to successfully apply or run for future appointed or elected positions in the Borough.

62. As a result of this very public character assassination, Ms. Viscomi is deeply concerned about the impact on her accounting career and current employment. The false accusations of racism and xenophobia directly threaten her professional reputation and livelihood.

63. The Borough Defendants took these actions because Ms. Viscomi is an outspoken advocate for accountability and transparency in Red Bank's local government, and Portman, Triggiano, and the Councilmember Defendants consider her a political opponent whose voice needed to be silenced.

64. The Borough Defendants have a custom, pattern, and practice of maligning the reputation of their political opponents and removing them from appointed positions without cause, while ignoring the far-greater misdeeds of those who agree with them politically.

COUNT ONE

(Deprivation of Civil Rights in Violation of 42 U.S.C. § 1983 against Portman, Triggiano, and the Councilmember Defendants)

14. Plaintiff repeats and realleges each and every allegation set forth above as if recounted at length herein.

15. Defendants Portman, Triggiano, Bonatakis, Cassidy, Facey-Blackwood, Forest, Jannone, and the John and Jane Does (1-10), acting in their official capacities and as individuals under the color of State law, intentionally deprived Plaintiff of rights secured her by the Constitution of the United States and Federal law, including, but not limited to, her rights to freedom of speech, association, and assembly under the First Amendment to the Constitution of the United States of America.

16. Defendants deprived Plaintiff of her rights of free speech, association, and assembly by instituting false charges against her, denying her due process, removing her from appointed office, and humiliating her in public forums because she is an outspoken advocate for

accountability and transparency in Red Bank's local government and a perceived political opponent of Portman, Triggiano, and the Councilmember Defendants.

17. As a result of the Defendants' actions, Plaintiff has suffered harm.

COUNT TWO

***(Deprivation of Civil Rights/Violation of 42 U.S.C. § 1983
Against the Borough)***

18. Plaintiff repeats and realleges each and every allegation set forth above as if recounted at length herein.

19. Defendant Borough deprived Plaintiff of her constitutional rights to freedom of speech, association, and assembly. This deprivation resulted from a policy or custom of retaliatory practices instituted, implemented, and encouraged by the individual defendants, whose acts or edicts represented official policy.

20. Defendant deprived Plaintiff of her rights of free speech, association, and assembly by instituting false charges against her, denying her due process, removing her from appointed office, and humiliating her in public forums because she is an outspoken advocate for accountability and transparency in Red Bank's local government and a perceived political opponent of Portman, Triggiano, and the Councilmember Defendants.

21. As a result of Defendant's actions, Plaintiff has suffered harm.

COUNT THREE

***(Violation of the New Jersey Civil Rights Act
Against the Borough Defendants)***

22. Plaintiff repeats and realleges each and every allegation set forth above as if recounted at length herein.

23. Defendants violated Plaintiff's rights to freedom of speech, association, and

assembly under the New Jersey State Constitution, Article 1, paragraphs 6 and 18.

24. Defendants deprived Plaintiff of her rights to free speech, association, and assembly by instituting false charges against her, denying her due process, removing her from appointed office, and humiliating her in public forums because she is an outspoken advocate for accountability and transparency in Red Bank's local government and a perceived political opponent of Portman, Triggiano, and the Councilmember Defendants.

25. Defendants' conduct violated the New Jersey Civil Rights Act, N.J.S.A. 10:6-1, et seq.

26. As a result of Defendants' actions, Plaintiff has suffered harm.

COUNT FOUR

(Conspiracy to Violate Plaintiff's Civil Rights Against All Defendants)

27. Plaintiff repeats and realleges each and every allegation set forth above as if recounted at length herein.

28. Two or more of the Defendants acted in concert to violate Plaintiff's state constitutional rights and then caused one of their number to undertake an overt act which resulted in damage to the Plaintiff.

29. As a result of Defendants' actions, Plaintiff has suffered harm.

COUNT FIVE

(Defamation against Defendant Castillo)

30. Plaintiff repeats and realleges each and every allegation set forth above as if recounted at length herein.

31. On or about August 11, 2025, Castillo made and published a false statement of fact about Plaintiff by circulating a petition to Red Bank residents stating that "two independent

investigations” concluded that Plaintiff made a “xenophobic comment suggesting that a community member and a former student ‘should be deported.’”

32. On or about August 12, 2025, Castillo made and published a false statement of fact about Plaintiff by stating in a public meeting of the Red Bank Board of Education that Plaintiff said that “I should be deported.”

33. Castillo made similar statements on numerous social media platforms.

34. Castillo acted with actual malice in that she made each statement knowing that it was false or with reckless disregard for its truth or falsity.

35. Castillo’s conduct constitutes the tort of defamation.

36. As a result of Defendant’s actions, Plaintiff has suffered harm to her reputation and standing in the community as well as emotional distress, humiliation, and mental anguish.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against the Defendants, including but not limited to:

- (a) an award of compensatory damages against the Borough Defendants to remedy the violation of Plaintiff’s civil rights;
- (b) an award of punitive damages or other exemplary damages against the Borough Defendants in an amount to be determined by the trier of fact;
- (c) an award of reasonable attorneys’ fees and all costs of court and interest herein;
- (d) an award of damages as allowed under 42 U.S.C. § 1983;
- (e) an award of compensatory damages to remedy Castillo’s defamation, including damages for reputational harm as well as emotional distress, humiliation, and mental anguish;

(f) such other award as allowed by statute, or within the power of this Court to grant.

Dated: Jersey City, NJ
October 8, 2025

SIEGLER LAW FIRM, P.C.

By:



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JURY DEMAND

Plaintiff hereby demands a trial by jury on all issues so triable.

Dated: Jersey City, NJ
October 8, 2025

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