

Matthew Donohue

From: kpiscopo@trfire.org
Sent: Tuesday, July 20, 2021 11:02 PM
To: Brian Kubiel
Cc: Monica Bisceglie; Monica Bisceglie; Bryant Curry; Jeffery Cirz
Subject: July 20 2021

July 20, 2021

Dear Mr. Kubiel,

I am writing this because I feel I have no other options. This letter is to serve as notification that I am continuously being harassed by another member and officer of Toms River Fire Company No 2. Since Officer Tim Cook has joined Toms River Fire Company No 2, I have been a target of his. Due to his harassment, I have limited my time around the fire house because I do not feel safe and have tried to avoid confrontations with him.

Last Tuesday, I was asked by Bryant Curry since I am a Trustee to run the drill, as it was corporate night. Officer Tim Cook was disrespectful and mocked me when I left the room to other members of the firehouse including junior and probationary members. He disrespects me as a corporate officer as well as a member of the fire department. I reported the incident but again nothing was done.

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By the actions of Officer Tim Cook, he is putting the members of the fire company in danger. If you do not have the trust of the members than how can you feel safe entering a burning building with them. I have addressed my concerns since the first time he tried to lie that I disobeyed orders. Chief Jeff Cirz had it on video to prove otherwise but there was no consequence. If needed I can give further details of different situations including multiple times that he has called me a guinea due to my Italian heritage in front of other members. I have reported this harassment and other incidents to multiple officers both corporate and firematic, but the harassment continues, and nothing ever gets resolved.

I have video with sound of the incident tonight if you need it. If you need any further information, feel free to contact me.

Sincerely,

Kenny Piscopo

Firefighter, Toms River Fire Co No 2

Matthew Donohue

From: jcirz@trfire.org
Sent: Wednesday, July 21, 2021 5:20 AM
To: Brian Kubiel
Cc: Monica Bisceglie; Monica Bisceglie; Bryant Curry
Subject: Re: July 20 2021
Attachments: Chief J Cirz.docx

Chief,

Pursuant Ken Piscopo email complaint please see a written statement from Tim Cook that I received last night around 10pm. Please let me know if your free to discuss.

Thank you.

Toms River Fire Chief 2600
Jeff Cirz

On Jul 20, 2021, at 11:01 PM, kpiscopo@trfire.org wrote:

July 20, 2021

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Kenny Piscopo
Firefighter, Toms River Fire Co No 2

Matthew Donohue

From: jcirz@trfire.org
Sent: Wednesday, July 21, 2021 5:22 AM
To: Brian Kubiel
Subject: Fwd: piscopo
Attachments: Chief J Cirz.docx

Chief, here is the actual email from Tim Cook for the record.

Toms River Fire Chief 2600
Jeff Cirz

Begin forwarded message:

From: xxxxx@xxxxxx.xxx
Date: July 20, 2021 at 9:56:08 PM EDT
To: Jeffery Cirz <jcirz@trfire.org>
Subject: piscopo

Matthew Donohue

From: Brian Kubiel
Sent: Wednesday, July 21, 2021 7:44 AM
To: kpiscopo@trfire.org
Cc: Monica Bisceglie; Monica Bisceglie; Bryant Curry; Jeffery Cirz; Everett Seaman
Subject: RE: July 20 2021

As referenced in his concern, please provide all video and any other information relevant to this issue by the close of business on Friday, July 23rd. Brian

From: kpiscoxx@xxxxxx.xxx
Sent: Tuesday, July 20, 2021 11:02 PM
To: Brian Kubiel
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Subject: July 20 2021

July 20, 2021

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Firefighter, Toms River Fire Co No 2

Matthew Donohue

From: tcook <xxxxx@xxxxxx.xxx>
Sent: Wednesday, July 21, 2021 8:15 AM
To: jcirz@trfire.org; Bryant Curry
Subject: RE: Fwd: piscopo

Yes I would like charges brought against him.

Lt Tim Cook 2630
TR2FD
732 267.4513
Tcook@trfire.org
Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: jcirz@xxxxxx.xxx
Date: 7/20/21 9:59 PM (GMT-05:00)
To: Bryant Curry <xxxxxx@xxxxxx.xxx>
Cc: tcook <xxxxx@xxxxxx.xxx>
Subject: Fwd: piscopo

President,
Please see attached. Tim,
Please let me know if you like to bring Ken up in charges with this letter.

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From: xxxxx@xxxxxx.xxx
Date: July 20, 2021 at 9:56:08 PM EDT
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From: jcirz@trfire.org
Sent: Wednesday, July 21, 2021 9:16 AM
To: Brian Kubiel
Cc: Monica Bisceglie; Everett Seaman; Bryant Curry; Jeffery Cirz
Subject: Re: July 20 2021

Good Morning Chief,

I do not have emails regarding complaints about Tim Cook from Ken Piscopo; this is the first email or written complaint from Ken.

As for the video that Ken references in his complaint. That was from a car fire at Sea Court, and I believe it was July or August of 2017. It was my dash cam video that did not have audio and only showed Ken Piscopo handing a nozzle to Brandon Halpin. If needed, the crew consisted of Ken Piscopo, Ed Storino, Brandon Halpin, and Tim Cook. Unfortunately I can't locate that video, but I did send it to Ken back then so it should be in his TR fire email database.

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As for Tim Cook's complaint which I sent to you this morning I called Tim to confirm if Ken actually threatened him. Tim said Ken called his cell around 9 pm on 7/20/21 and verbally threatened him with bodily harm and was yelling so loud another member in the room could hear him yelling. Tim stated there was a witness in the same room during the phone call and can attest to the verbal discussion between Ken and Tim.

In closing, Tim Cook filed charges today 7/21/21 against Ken Piscopo for his verbal threats of bodily harm to a member which goes against Toms River Fire company 2 bylaws. As soon as the investigating committee meets I will advise what there recommendation to the membership will be and what the membership decides to do.

Thank you,

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On Jul 21, 2021, at 7:43 AM, Brian Kubiel wrote:

As referenced in his concern, please provide all video and any other information relevant to this issue by the close of business on Friday, July 23rd. Brian

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Firefighter, Toms River Fire Co No 2

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From: Brian Kubiel
Sent: Wednesday, July 21, 2021 9:21 AM
To: jcirz@trfire.org
Subject: RE: July 20 2021

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To: Brian Kubiel <bkubiel@trfire.org>

Cc: Monica Bisceglie <mbisceglie@trfire.org>; Monica Bisceglie <monicabisceglie@xxxxxx.xxx>; Bryant Curry <bcurry@trfire.org>; Jeffery Cirz <jcirz@trfire.org>

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From: jcirz@trfire.org
Sent: Wednesday, July 21, 2021 9:25 AM
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Matthew Donohue

From: tcook <xxxxx@xxxxxx.xxx>
Sent: Wednesday, July 21, 2021 10:11 AM
To: xxxxxx@xxxxxx.xxx
Cc: jcirz@trfire.org
Subject: Re: piscopo

Please contact Capt Rice Mr Piscopo also contacted him.

Lt Tim Cook 2630
TR2FD
732 267.4513
Tcook@trfire.org
Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: bcurry@trfire.org
Date: 7/21/21 9:01 AM (GMT-05:00)
To: tcook <xxxxx@xxxxxx.xxx>
Cc: jcirz@trfire.org
Subject: Re: piscopo

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To: Bryant Curry <xxxxxx@xxxxxx.xxx>

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Subject: Fwd: piscopo

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To: Jeffery Cirz <jcirz@trfire.org>

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Matthew Donohue

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Sent: Wednesday, July 21, 2021 10:13 AM
To: xxxxxx@xxxxxx.xxx
Cc: jcirz@trfire.org
Subject: Re: piscopo

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From: xxxxxx@xxxxxx.xxx
Sent: Wednesday, July 21, 2021 10:35 AM
To: tcook
Cc: jcirz@trfire.org
Subject: Re: piscopo

Can you let me know a location in the fire house so I can pull the right video. Just so you know there's no sound so there will only be picture.

Bryant

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Sent: Wednesday, July 21, 2021 10:38 AM
To: David Rice
Cc: Jeffery Cirz
Subject: Cook Vs Piscopo

Can you please provide any documents/texts, voicemails or recordings in reference to the conversations with Mr. Piscopo the Lt cook. Also if you want to do a brief written statement.

Thank you

Bryant Curry
President
Toms River Fire co #2

Matthew Donohue

From: xxxxxx@xxxxxx.xxx
Sent: Wednesday, July 21, 2021 10:48 AM
To: jcirz@trfire.org
Cc: Brian Kubiel; Monica Bisceglie; Everett Seaman
Subject: Re: July 20 2021

Good morning Brian

Just wanted to let you know as the president I have received this email and only this email in reference to issues between Mr. Piscopo and Lieutenant Cook. I was aware of the issue during the corporate night drill but as Chief Cirz mentioned he spoke with the individual and he refused to act any further. I do believe there's personality issues between the two of them but in the past I've mentioned to them and to the entire company if you have a problem with someone you think is violating the bylaws of the company you should put it in writing. The company is not going to act on hearsay and rumors.

As of this morning Lieutenant Cook has filed a charge complaint against Mr. Piscopo stating he's violated the company bylaws. My committee will review these charges and act accordingly under the adopted bylaws of the company.

If you have any questions concerns please don't hesitate to reach out.

Bryant Curry
President
Toms River Fire Co #2

On Jul 21, 2021, at 9:16 AM, jcirz@trfire.org wrote:

Good Morning Chief,
I do not have emails regarding complaints about Tim Cook from Ken Piscopo; this is the first email or written complaint from Ken.

As for the video that Ken references in his complaint. That was from a car fire at Sea Court, and I believe it was July or August of 2017. It was my dash cam video that did not have audio and only showed Ken Piscopo handing a nozzle to Brandon Halpin. If needed, the crew consisted of Ken Piscopo, Ed Storino, Brandon Halpin, and Tim Cook. Unfortunately I can't locate that video, but I did send it to Ken back then so it should be in his TR fire email database.

As for Ken's complaint about the corporate drill I did address that with Ken immediately the next day and I asked Ken to put the complaint in writing with who witnessed Tim making comments. Ken proceeded to tell me that a member over heard Tim making comments but that member didn't want to get involved. I advised Ken that I need more information with specifics in his own words in order for me to address his concerns; I can't go on second and third hand information. At that point, Ken told me to just forget about it and didn't want to escalate the matter. (That was his choice not mine)

As for Tim Cook's complaint which I sent to you this morning I called Tim to confirm if Ken actually threatened him. Tim said Ken called his cell around 9 pm on 7/20/21 and verbally threatened him with

bodily harm and was yelling so loud another member in the room could hear him yelling. Tim stated there was a witness in the same room during the phone call and can attest to the verbal discussion between Ken and Tim.

In closing, Tim Cook filed charges today 7/21/21 against Ken Piscopo for his verbal threats of bodily harm to a member which goes against Toms River Fire company 2 bylaws. As soon as the investigating committee meets I will advise what there recommendation to the membership will be and what the membership decides to do.

Thank you,

Toms River Fire Chief 2600
Jeff Cirz

On Jul 21, 2021, at 7:43 AM, Brian Kubiel <bkubiel@trfire.org> wrote:

As referenced in his concern, please provide all video and any other information relevant to this issue by the close of business on Friday, July 23rd. Brian

From: kpiscoxx@xxxxxx.xxx<kpiscopo@trfire.org>
Sent: Tuesday, July 20, 2021 11:02 PM
To: Brian Kubiel <bkubiel@trfire.org>
Cc: Monica Bisceglie <mbisceglie@trfire.org>; Monica Bisceglie <monicabiscexxxx@xxxxxx.xgx>; Bryant Curry <xxxxxx@xxxxxx.xxx>; Jeffery Cirz <xxxxxx@xxxxxx.xxx>
Subject: July 20 2021

July 20, 2021

Dear Mr. Kubiel,

I am writing this because I feel I have no other options. This letter is to serve as notification that I am continuously being harassed by another member and officer of Toms River Fire Company No 2. Since Officer Tim Cook has joined Toms River Fire Company No 2, I have been a target of his. Due to his harassment, I have limited my time around the fire house because I do not feel safe and have tried to avoid confrontations with him.

Last Tuesday, I was asked by Bryant Curry since I am a Trustee to run the drill, as it was corporate night. Officer Tim Cook was disrespectful and mocked me when I left the room to other members of the firehouse including junior and probationary members. He disrespects me as a corporate officer as well as a member of the fire department. I reported the incident but again nothing was done.

I chose not to attend the drill tonight to avoid any further incidents with Officer Tim Cook. At about 8:15pm tonight, Officer Tim Cook came screeching down my street in 2631 with the Jake brake on. I received numerous complaints from my neighbors thinking that I had something to do with it. He even woke up a baby in one house. There is no reason to go down any residential street in Toms River including mine with the Jake brake

on. Out of all the streets in Toms River, Officer Cook chooses mine to do this disrespectful and obnoxious act.

By the actions of Officer Tim Cook, he is putting the members of the fire company in danger. If you do not have the trust of the members than how can you feel safe entering a burning building with them. I have addressed my concerns since the first time he tried to lie that I disobeyed orders. Chief Jeff Cirz had it on video to prove otherwise but there was no consequence. If needed I can give further details of different situations including multiple times that he has called me a guinea due to my Italian heritage in front of other members. I have reported this harassment and other incidents to multiple officers both corporate and firematic, but the harassment continues, and nothing ever gets resolved.

I have video with sound of the incident tonight if you need it. If you need any further information, feel free to contact me.

Sincerely,

Kenny Piscopo

Firefighter, Toms River Fire Co No 2

Matthew Donohue

From: xxxxxx@xxxxxx.xxx
Sent: Wednesday, July 21, 2021 10:49 AM
To: tcook
Cc: jcirz@trfire.org
Subject: Re: piscopo

Tim can you please provide me a section or sections that you believe Mr. Piscopo has violated our bylaws? If you need a copy of the bylaws to review please let me know.

Bryant

On Jul 21, 2021, at 10:34 AM, bcurry@trfire.org wrote:

Can you let me know a location in the fire house so I can pull the right video. Just so you know there's no sound so there will only be picture.

Bryant

On Jul 21, 2021, at 10:13 AM, tcook <xxxxx@xxxxxx.xxx>wrote:

I would also request the FH video from the last corporate drill around 18:45 when Mr Piscopo confronted me.

Lt Tim Cook 2630
TR2FD
732 267.4513
Tcook@trfire.org
Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: bcurry@trfire.org
Date: 7/21/21 9:01 AM (GMT-05:00)
To: tcook <xxxxx@xxxxxx.xxx>
Cc: jcirz@trfire.org
Subject: Re: piscopo

Tim I'm in copy of your letter and charges against another member. If you have any other documents, videos or recordings please make copies and forward to me.

Thank you

Bryant Curry
President
Toms River Fire Co #2

On Jul 21, 2021, at 8:15 AM, tcook <xxxxx@xxxxxx.xxx>wrote:

Yes I would like charges brought against him.

Lt Tim Cook 2630
TR2FD
732 267.4513
Tcook@trfire.org
Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: jcirx@xxxxxx.xxx
Date: 7/20/21 9:59 PM (GMT-05:00)
To: Bryant Curry <xxxxxx@xxxxxx.xxx>
Cc: tcook <xxxxx@xxxxxx.xxx>
Subject: Fwd: piscopo

President,
Please see attached. Tim,
Please let me know if you like to bring Ken up in charges with this
letter.

Toms River Fire Chief 2600
Jeff Cirz

Begin forwarded message:

From: xxxxx@xxxxxx.xxx
Date: July 20, 2021 at 9:56:08 PM EDT
To: Jeffery Cirz <jcirz@trfire.org>
Subject: piscopo

Matthew Donohue

From: tcook <xxxxx@xxxxxx.xxx>
Sent: Wednesday, July 21, 2021 12:25 PM
To: xxxxxx@xxxxxx.xxx
Subject: Re: piscopo

Yes I need a copy

Lt Tim Cook 2630
TR2FD
732 267.4513
Tcook@trfire.org
Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: bcurry@trfire.org
Date: 7/21/21 10:49 AM (GMT-05:00)
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To: Jeffery Cirz <jcirz@trfire.org>
Subject: piscopo

Matthew Donohue

From: xxxxx@xxxxxx.xxx
Sent: Wednesday, July 21, 2021 12:26 PM
To: xxxxx@xxxxxx.xxx
Cc: Jeffery Cirz
Subject: Re: Cook Vs Piscopo
Attachments: Video.mov; Video_1.mov; Video_2.mov

Dave Rice 2620
Captain
Toms River Fire Co#2
45 West Water St
Toms River, NJ 08753
732-504-4859 (cell)

On Jul 21, 2021, at 10:37, xxxxx@xxxxxx.xxx wrote:

Can you please provide any documents/texts, voicemails or recordings in reference to the conversations with Mr. Piscopo the Lt cook. Also if you want to do a brief written statement.

Thank you

Bryant Curry
President
Toms River Fire co #2

Matthew Donohue

From: tcook <xxxxx@xxxxxx.xxx>
Sent: Wednesday, July 21, 2021 12:27 PM
To: xxxxxx@xxxxxx.xxx
Cc: jcirz@trfire.org
Subject: Re: piscopo

By the kitchen don't need sound body language is enough

Lt Tim Cook 2630
TR2FD
732 267.4513
Tcook@trfire.org
Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: bcurry@trfire.org
Date: 7/21/21 10:34 AM (GMT-05:00)
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Jeff Cirz

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Subject: piscopo

Matthew Donohue

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Sent: Wednesday, July 21, 2021 12:28 PM
To: xxxxx@xxxxxx.xxx
Cc: Jeffery Cirz
Subject: Cook Vs Piscopo
Attachments: Video.mov; Video_1.mov; Video_2.mov

Dave Rice 2620
Captain
Toms River Fire Co#2
45 West Water St
Toms River, NJ 08753
732-504-4859 (cell)

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Thank you

Bryant Curry
President
Toms River Fire co #2

Matthew Donohue

From: tcook <xxxxx@xxxxxx.xxx>
Sent: Wednesday, July 21, 2021 2:04 PM
To: xxxxxx@xxxxxx.xxx
Cc: jcirz@trfire.org
Subject: Re: piscopo

Article 9
Section 2
Insubordination of a line officer
Conduct unbecoming of a member
Threatening bodily harm to a member
Threatening bodily harm to an officer
Harassment

Lt Tim Cook 2630
TR2FD
732 267.4513
Tcook@trfire.org
Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: bcurry@trfire.org
Date: 7/21/21 10:49 AM (GMT-05:00)
To: tcook <xxxxx@xxxxxx.xxx>
Cc: jcirz@trfire.org
Subject: Re: piscopo

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TR2FD
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Tcook@trfire.org
Sent from my Verizon, Samsung Galaxy smartphone

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Cc: jcirz@trfire.org
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Thank you
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President
Toms River Fire Co #2

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Lt Tim Cook 2630
TR2FD
732 267.4513
Tcook@trfire.org
Sent from my Verizon, Samsung Galaxy smartphone

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From: jcirx@xxxxxx.xxx
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To: Bryant Curry <xxxxxx@xxxxxx.xxx>
Cc: tcook <xxxxx@xxxxxx.xxx>
Subject: Fwd: piscopo

President,
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Please let me know if you like to bring Ken up in charges with this letter.

Toms River Fire Chief 2600
Jeff Cirz

Begin forwarded message:

From: xxxxx@xxxxxx.xxx
Date: July 20, 2021 at 9:56:08 PM EDT
To: Jeffery Cirz <jcirz@trfire.org>
Subject: piscopo

Matthew Donohue

From: tcook <xxxxx@xxxxxx.xxx>
Sent: Thursday, July 22, 2021 11:27 AM
To: xxxxxx@xxxxxx.xxx
Cc: xxxxxxxxxxxx@xxxxxx.xxx
Subject: Complaint

Gentlemen,

Over the years I have dealt with Mr Piscopo on many occasion and been subject to rants of vulgar language and threats of harm. I have never raised my voice to him, nor have I talked in anything but a professional manner. For the most part we are very civil and friendly. The last incident on corporate night was the first incident that I can recall since about 2 years ago that I can recall. Which was a firematic issue. I was asked by the Chief to start training him on driving. I start walking him around the engine going over things. He wanted me to show him to pump. I explained the he needed to go to pump school. He had to log drive time. He got upset and stormed out cursing me. Any other incidents where at lest a year of more previous. To recall previous incidents, a couple of years before when ex chief Storino was coming to calls. We in the past have wait for Ed and he would sometimes turn around and go home. So one night I was in the driver's seat waiting for Ed, "I stated we would wait for him, it he didn't show we would not wait again. " We were canceled, Ed showed up and as we we t into the members room Piscopo starting yelling at me calling me a piece of shit. Insisting I tell Storino what I said. I told Storino. Piscopo continued to curse me for what reason I don't know. *Previous to that there was an issue where while getting dressed for a call, I walked by him and said "what's up sunshine" he replied hey chief. I laughed and joked I was talking to him meaning the guy next to him. He stormed out of the building saying he had to leave or he was going to punch me.*

Mr Piscopo claim I harass him, I disagree. It is he who creates a hostile environment. I have to avoid any conversation that would express an opinion opposite of his. I have grown tired of avoiding confrontation because I have to correct an issue that that he doesn't agree with. I have thanked him may times for doing a great job as trustee with keeping us stocked with refreshments and snacks. Have also complimented him the work he has done around 261.

So in closing I can honestly state I do not see where his resentment comes from nor do I see why I deserve the treatment I get. We can get along fine till he perceives a slight or disagreement and at that time he becomes aggressive to me. No member should feel intimidated in doing their job or speaking their opinion for fear of reprisal.

Lt Tim Cook 2630
TR2FD
732 267.4513
Tcook@trfire.org
Sent from my Verizon, Samsung Galaxy smartphone

Matthew Donohue

From: tcook <xxxxx@xxxxxx.xxx>
Sent: Thursday, July 22, 2021 8:57 PM
To: Ed Schuler
Subject: FW: Complaint

Lt Tim Cook 2630
TR2FD
732 267.4513
Tcook@trfire.org
Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: tcook <xxxxx@xxxxxx.xxx>
Date: 7/22/21 11:27 AM (GMT-05:00)
To: xxxxxx@xxxxxx.xxx
Cc: cweinbergxx@xxxxxx.xxg
Subject: Complaint

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Lt Tim Cook 2630
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732 267.4513
Tcook@trfire.org
Sent from my Verizon, Samsung Galaxy smartphone

Confidentiality Notice This e-mail communication and any attachments may contain confidential and privileged information for the use of the designated recipients named above. If you are not the intended recipient, you are hereby notified that you have received this communication in error and that any review, disclosure, dissemination, distribution or copying of it or its contents is prohibited. If you receive this communication in error, please notify me immediately by replying to this message and deleting it from your computer. Thank you!

Matthew Donohue

From: kpiscopo@trfire.org
Sent: Friday, July 23, 2021 1:19 PM
To: Brian Kubiel
Subject: RE: July 20 2021

Attached are 2 links to widow clips from the other night of 2631 driving down Maimone Street. One has sound but does not catch the sound at the other end of street. The other does not have sound. The Jake brake was put on roughly 300 feet from the stop sign. How fast was the engine going down a residential street to deploy the Jake brake at that distance?

Below are details of specific incidents that have occurred with Officer Tim Cook. It seems every time I am around Officer Tim Cook, he has a problem with me. Below are some of the highlights as I could go on and on. I have chosen to stay away on many occasions because I do not want the confrontation and the drama. Now I cannot even be home without him coming to me.

The corporate night drill at the substation firehouse, Officer Tim Cook was disrespectful and speaking over me when I was directing the members for the corporate drill. When I left the room, Officer Cook began degrading me to probationary members and members of the firehouse including Life member Pat McKee who told Kevin Nolan. The incident was reported to President Bryant Curry and Chief Jeff Cirz by Kevin Nolan. I spoke with Chief Cirz in the morning, he told me he would look into it. That was the last I ever heard it.

After being elected as a Corporate Trustee, one day Kevin Nolan another Trustee suggested that we paint and hang some pictures on the wall, but Tim Cook's white board was in the space. Chief Jeff Cirz had come in and we told him what we wanted to do and asked him if we could take down the white board. Chief Cirz said "You can take down the white board and throw it in dumpster for all I care." Kevin and I took down the white board, but we put it aside to find a new place to hang it. Before we got a chance to do that, Tim Cook made a complaint about his white board. President Curry and Chief Cirz called a corporate and officer meeting where Kevin Nolan and I were reprimanded in front of everyone and had to apologize for taking the board down and being disrespectful even though we had Chief Cirz's permission.

Some of the firematic officers approached me to become a driver. I spoke with Chief Jeff Cirz who set it up for me. Chief Jeff Cirz sent Officer Tim Cook an email to have me begin driver training at the next drill. I showed up for drill night and reported to Tim Cook to start my driver's training. Jim Kudrick was the driver for the evening and thought I would be working with him. Tim Cook told me that we don't have time for that and was very condescending and degrading to me. Officer Cook kept going on and on about what I could not do. It was insulting as I have held a Class A CDL license for over 20 years. I felt uncomfortable and decided to avoid confrontation and leave. I reported the incident to Chief Jeff Cirz but again nothing was done.

On multiple occasions Officer Tim Cook as referred to me as a guinea. I told this to President Bryant Curry, Chief Jeff Cirz, Officer Dave Rice, Office Rob Krohn, and Officer Brian O'Neill. Kenny Hamilton has heard him say it as well and he told Officer Cook to get off my back and stop harassing me. My reports to the officers went unanswered.

When I ride the engine and Office Cook is there, he always needs to know what seat I am riding in. He asks no one else but me and I feel singled out when he does that. I have addressed this with multiple officers, but no one can give me an answer.

At a car fire Tim Cook and Brendan Halpin accused me of disobeying direct orders that I refused to give Brendan Halpin the hose line. When we returned to the station Tim Cook started reprimanding me that I grabbed the hose line from Brendan Halpin. Tim Cook who was not an officer at the time reported this to Officer Brian O'Neill and Chief Jeff Cirz about me disobeying orders. Chief Eddie Storino was the pump operator on the call and witnessed the entire incident. Chief Eddie Storino spoke with Chief Jeff Cirz and told him that is not what happened. Chief Cirz pulled the video and showed Tim Cook and asked him if he wanted to still pursue his complaint. The video showed me picking up the hose line and handing it to Brendan Halpin not grabbing from Brendan Halpin. Tim Cook dropped the complaint.

Other members of the fire house have seen the way that I am treated by Officer Tim Cook. Ken Hamilton and Kevin Nolan are willing to be contacted as they have witnessed Officer Cook's treatment of me many times. I am sure Chief Storino would be willing to talk to you as well. Since joining the fire department, I have always obtained my points and I used to be one of the top point responder. Now I don't feel comfortable coming around. All I wanted to do was be a fireman and help people. I think it is very sad that a member a fire company would be continuously treated like this especially as a volunteer.

Sincerely,
Kenny Piscopo

<https://ring.com/share/7444d8e8-722b-4138-a5a7-8a4a3dde814d>

<https://www.vzmessages.com/vl/5ea7b3a9c643dfdb20d9cbce2a13787b0f68b1a4>

-----Original Message-----

From: "Brian Kubiel" <bkubiel@trfire.org>

Sent: Wednesday, July 21, 2021 7:43am

To: "Kenneth Piscopo" <kpiscopo@trfire.org>

Cc: "Monica Bisceglie" <mbisceglie@trfire.org>, "Monica Bisceglie" <monicabisceglie@trfire.org>, "Bryant Curry" <bcurry@trfire.org>, "Jeffery Cirz" <jcirz@trfire.org>, "Everett Seaman" <eseaman@trfire.org>

Subject: RE: July 20 2021

As referenced in his concern, please provide all video and any other information relevant to this issue by the close of business on Friday, July 23rd. Brian

From: kpiscopo@trfire.org <kpiscopo@trfire.org>

Sent: Tuesday, July 20, 2021 11:02 PM

To: Brian Kubiel <bkubiel@trfire.org>

Cc: Monica Bisceglie <mbisceglie@trfire.org>; Monica Bisceglie <monicabisceglie@trfire.org>; Bryant Curry <bcurry@trfire.org>; Jeffery Cirz <jcirz@trfire.org>

Subject: July 20 2021

July 20, 2021

Dear Mr. Kubiel,

I am writing this because I feel I have no other options. This letter is to serve as notification that I am continuously being harassed by another member and officer of Toms River Fire Company No 2. Since Officer Tim Cook has joined Toms River Fire Company No 2, I have been a target of his. Due to his harassment, I have limited my time around the fire house because I do not feel safe and have tried to avoid confrontations with him.

Last Tuesday, I was asked by Bryant Curry since I am a Trustee to run the drill, as it was corporate night. Officer Tim Cook was disrespectful and mocked me when I left the room to other members of the firehouse including junior and probationary members. He disrespects me as a corporate officer as well as a member of the fire department. I reported the incident but again nothing was done.

I chose not to attend the drill tonight to avoid any further incidents with Officer Tim Cook. At about 8:15pm tonight, Officer Tim Cook came screeching down my street in 2631 with the Jake brake on. I received numerous complaints from my neighbors thinking that I had something to do with it. He even woke up a baby in one house. There is no reason to go down any residential street in Toms River including mine with the Jake brake on. Out of all the streets in Toms River, Officer Cook chooses mine to do this disrespectful and obnoxious act.

By the actions of Officer Tim Cook, he is putting the members of the fire company in danger. If you do not have the trust of the members than how can you feel safe entering a burning building with them. I have addressed my concerns since the first time he tried to lie that I disobeyed orders. Chief Jeff Cirz

had it on video to prove otherwise but there was no consequence. If needed I can give further details of different situations including multiple times that he has called me a guinea due to my Italian heritage in front of other members. I have reported this harassment and other incidents to multiple officers both corporate and firematic, but the harassment continues, and nothing ever gets resolved.

I have video with sound of the incident tonight if you need it. If you need any further information, feel free to contact me.

Sincerely,

Kenny Piscopo

Firefighter, Toms River Fire Co No 2

Matthew Donohue

From: KENNETH HAMILTON <xxxxxxxxxx@xxxxxxxx.xxx>
Sent: Friday, July 23, 2021 3:51 PM
To: Brian Kubiel
Subject: ref. ff ken Piscopo

July 23 2021

Toms River Township Board of Fire Commissioners District 1, Attention: Administrator Brian Kubiel
I am writing this letter directly to you because previous attempts to inform the Officers of Toms River Fire Company #2 of the constant harassment that FF Ken Piscopo has been getting from Lt Tim Cook has had no positive results and only has gotten worse. Ken and I both feel that our safety is now in jeopardy!

Over the past 5 years, I have personally witnessed 1LT Tim Cook on many occasions harass FF Ken Piscopo.

Lt Tim Cook even attempted to accuse FF Ken Piscopo of not following his directions at Drills and Fire Scenes. On one such incident, FF Ken Piscopo was accused by Lt Tim Cook of not following his instructions. Lt Tim Cook told the crew of 2631 that FF Brendan Halprin would be on the nozzle. The crew departed the Engine and everyone started donning their masks. FF Ken Piscopo was the 1st to Scott Up and began flaking out the handline and getting it ready to be put into operation. When FF Brendon Halprin finally was ready, FF Ken Piscopo handed him the nozzle and backed him up on the line. When the incident was over, Lt Tim Cook approached Chief Jeff Cirz and accused FF Ken Piscopo of failing to following his instructions and even exaggerated what actually happened by saying FF Brendon Halprin had to physical pull the nozzle from FF Ke Piscopo's hands. Chief Jeff Cirz, asked Lt Tim Cook "are you sure you want to file charges on FF Ken Piscopo? Because I witnessed the incident from my Chiefs Car and even have the event recorded on my camera!" After showing 1Lt Tim Cook the video recording Lt Tim Cook decided to drop his allegation. Chief Jeff Cirz also showed me and FF Ken Piscopo the video which clearly proves that Lt Tim Cook fabricated the event in an attempt to bring charges against FF Ken Piscopo. This is only one of many times that I have seen Lt Tim Cook harass FF Ken Piscopo. Although I am presently in South Carolina, handling my Late Father's Estate, I am available to speak with you at any time or provide you with other incidents that I have personally witnessed.

Sincerely, Kenneth A Hamilton

Fire Fighter, Toms River Fire Company #2
732-278-3014

Matthew Donohue

From: xxxxxx@xxxxxx.xxx
Sent: Sunday, July 25, 2021 10:38 AM
To: Kenneth Piscopo
Cc: Brian Oneill; Bruce Miller; Michael Lemoire; Jerry Galione; Pat Reynolds
Subject: Complaint and investigation
Attachments: piscopc charges.pdf

Ken, please see the attached letter.

any issues or concerns please reach out.

Bryant Curry
President
Toms River Fire Co #2

Matthew Donohue

From: xxxxxx@xxxxxx.xxx
Sent: Sunday, July 25, 2021 10:46 AM
To: tcook
Cc: jcirz@trfire.org
Subject: Re: piscopo

Hello Tim

An investigation is schedule for Tuesday night at 7pm at the main station. Please be there to answer any question from the investigation committee. Also please provide me any other members names that may have heard anything that night so I may contact them.

Thank you
Bryant

Sent from my iPhone

On Jul 21, 2021, at 2:04 PM, tcook <xxxxx@xxxxxx.xxx>wrote:

Article 9
Section 2
Insubordination of a line officer
Conduct unbecoming of a member
Threatening bodily harm to a member
Threatening bodily harm to an officer
Harassment

Lt Tim Cook 2630
TR2FD
732 267.4513
Tcook@trfire.org
Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: bcurry@trfire.org
Date: 7/21/21 10:49 AM (GMT-05:00)
To: tcook <xxxxx@xxxxxx.xxx>
Cc: jcirz@trfire.org
Subject: Re: piscopo

Tim can you please provide me a section or sections that you believe Mr. Piscopo has violated our bylaws? If you need a copy of the bylaws to review please let me know.

Bryant

On Jul 21, 2021, at 10:34 AM, bcurry@trfire.org wrote:

Can you let me know a location in the fire house so I can pull the right video. Just so you know there's no sound so there will only be picture.

Bryant

On Jul 21, 2021, at 10:13 AM, tcook <xxxxx@xxxxxx.xxx>wrote:

I would also request the FH video from the last corporate drill around 18:45 when Mr Piscopo confronted me.

Lt Tim Cook 2630
TR2FD
732 267.4513
Tcook@trfire.org
Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: bcurry@trfire.org
Date: 7/21/21 9:01 AM (GMT-05:00)
To: tcook <xxxxx@xxxxxx.xxx>
Cc: jcirz@trfire.org
Subject: Re: piscopo

Tim I'm in copy of your letter and charges against another member. If you have any other documents, videos or recordings please make copies and forward to me.

Thank you
Bryant Curry
President
Toms River Fire Co #2

On Jul 21, 2021, at 8:15 AM, tcook <xxxxx@xxxxxx.xxx>
wrote:

Yes I would like charges brought against him.

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TR2FD
732 267.4513
Tcook@trfire.org
Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: jcirx@xxxxxx.xxx
Date: 7/20/21 9:59 PM (GMT-05:00)
To: Bryant Curry <xxxxxx@xxxxxx.xxx>
Cc: tcook <xxxxx@xxxxxx.xxx>
Subject: Fwd: piscopo

President,
Please see attached. Tim,
Please let me know if you like to bring Ken up in charges
with this letter.

Toms River Fire Chief 2600
Jeff Cirz

Begin forwarded message:

From: xxxxx@xxxxxx.xxx
Date: July 20, 2021 at 9:56:08 PM EDT
To: Jeffery Cirz <jcirz@trfire.org>
Subject: piscopo

Matthew Donohue

From: tcook <xxxxx@xxxxxx.xxx>
Sent: Sunday, July 25, 2021 12:29 PM
To: xxxxxx@xxxxxx.xxx
Subject: Re: piscopo

Dave Rice
Ed Schuler

Lt Tim Cook 2630
TR2FD
732 267.4513
Tcook@trfire.org
Sent from my Verizon, Samsung Galaxy smartphone

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Toms River Fire Chief 2600
Jeff Cirz

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From: xxxxx@xxxxxx.xxx
Date: July 20, 2021 at 9:56:08 PM EDT
To: Jeffery Cirz <jcirz@trfire.org>
Subject: piscopo

Matthew Donohue

From: kpiscopo@trfire.org
Sent: Thursday, July 29, 2021 3:47 PM
To: Bryant Curry; Charles Weinberger; akrobertsonxx@xxxxx.xxx; photonew xxxxxxxx@xxxxxxx.xxx; Brian Oneill; Bruce Miller; Jerry Galione; Pat Reynolds; Michael Lemore; Harry Clayton; Robert Sroczynski; Ken Hamilton
Subject: certified letter

Bryant,

I have been out of town and had no access to email. I received your certified letter in the mail today. According to the letter, the investigation meeting was 2 days ago.

Kenny Piscopo
Firefighter/Trustee

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Matthew Donohue

From: xxxxxx@xxxxxx.xxx
Sent: Thursday, July 29, 2021 3:58 PM
To: kpiscopo@trfire.org
Cc: Charles Weinberger; Brian Oneill; Bruce Miller; Jerry Galione; Pat Reynolds; Michael Lomore
Subject: Re: certified letter

Afternoon Ken

The letter you received was not the only way of delivery. The same letter was emailed to you and texted to you along with another text asking you to check your email, with no response from you.

The committee has met and reviewed what was provided to us. The committee will be bringing the findings back to the membership at the next general meeting.

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Sent: Thursday, July 29, 2021 4:30 PM
To: xxxxxx@xxxxxx.xxx
Cc: Charles Weinberger; Brian Oneill; Bruce Miller; Jerry Galione; Pat Reynolds; Michael Lemoire; Alan Robertson Robertson; photonewsnetwork@verizon.net; Robert Sroczynski; Harry Clayton; Ken Hamilton
Subject: Re: certified letter

Bryant,

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I have included the corporate officers to keep them informed.

Kenny Piscopo
firefighter/Tustee

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From: bcurry@trfire.org
Sent: Thursday, July 29, 2021 3:58pm
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Cc: "Charles Weinberger" <cweinberger@trfire.org>, "Brian Oneill" <boneill@trfire.org>, "Bruce Miller" <bmillx@xxxxxx.xxx>, "Jerry Galione" <jgalione@trfire.org>, "Pat Reynolds" <preynolds@trfire.org>, "Michael Lemoire" <mlemore@trfire.org>
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firefighter/Tustee

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Matthew Donohue

From: xxxxxx@xxxxxx.xxx
Sent: Thursday, July 29, 2021 6:12 PM
To: kpiscopo@trfire.org
Cc: Charles Weinberger; Brian Oneill; Bruce Miller; Jerry Galione; Pat Reynolds; Michael Lemore
Subject: Re: certified letter

Ken,

I'll let you know when we can meet you. The committee held a meeting which you never attended. The bylaws doesn't say we need to mail the letter but give you a copy, which was provided in an email and text. I cannot believe you had no access to email and text. I'll talk with the members of the committee and see when we can meet with you. What is the best way to contact you about the meeting if we can? I don't want to hear you have no access or didn't receive the date in time.

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Sent: Thursday, July 29, 2021 7:17 PM
To: kpiscopo@trfire.org
Cc: Charles Weinberger; Brian Oneill; Bruce Miller; Jerry Galione; Pat Reynolds; Michael Lomore
Subject: Re: certified letter

Ken

The investigation committee will meet with you Tomorrow Friday 7/30 at 1900 hours at the main station.

Bryant Curry
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Cc: Charles Weinberger; Brian Oneill; Bruce Miller; Jerry Galione; Pat Reynolds; Michael Lemoire; Alan Robertson; photonewsnetwork@verizon.net; Harry Clayton; Robert Sroczynski; Ken Hamilton
Subject: Re: certified letter

Bryant,

You can send the information to this email as I am back in town.

Please include the member who brought me up on this complaint. Also, include the specific allegations of this complaint and any evidence and witnesses that you have. None of this was included in the letter that I received which I am entitled to have.

Ken Piscopo
Fire fighter/Trustee

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Cc: "Charles Weinberger" <cweinberger@trfire.org>, "Brian Oneill" <boneill@trfire.org>, "Bruce Miller" <bmllex@xxxxxx.xxx>, "Jerry Galione" <jgalione@trfire.org>, "Pat Reynolds" <preynolds@trfire.org>, "Michael Lemoire" <mlemore@trfire.org>
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Sent: Thursday, July 29, 2021 3:58pm

To: kpiscopo@trfire.org

Cc: "Charles Weinberger" <cweinberger@trfire.org>, "Brian Oneill" <boneill@trfire.org>, "Bruce Miller" <bmllex@xxxxxx.xxx>, "Jerry Galione" <jgalione@trfire.org>, "Pat Reynolds" <preynolds@trfire.org>, "Michael Lemoore" <mlemoxx@xxxxxx.xxx>

Subject: Re: certified letter

Afternoon Ken

The letter you received was not the only way of delivery. The same letter was emailed to you and texted to you along with another text asking you to check your email, with no response from you.

The committee has met and reviewed what was provided to us. The committee will be bringing the findings back to the membership at the next general meeting.

Also I removed members on this email that have no responsibility with the investigation. Not sure why you added them and just not respond to my previous email sent the other day.

Any further questions please reach out.

Bryant Curry

President

Toms River Fire Co #2

On Jul 29, 2021, at 3:46 PM, kpiscopo@trfire.org wrote:

Bryant,

I have been out of town and had no access to email. I received your certified letter in the mail today. According to the letter, the investigation meeting was 2 days ago.

Kenny Piscopo

Firefighter/Trustee

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Matthew Donohue

From: kpiscopo@trfire.org
Sent: Thursday, July 29, 2021 7:51 PM
To: xxxxxx@xxxxxx.xxx
Cc: Charles Weinberger; Brian Oneill; Bruce Miller; Jerry Galione; Pat Reynolds; Michael Lemore
Subject: Re: certified letter

I am very sorry but we have a family obligation tomorrow night that has been planned. Can you give an alternate day?

-----Original Message-----

From: bcurry@trfire.org
Sent: Thursday, July 29, 2021 7:17pm
To: kpiscopo@trfire.org
Cc: "Charles Weinberger" <cweinberger@trfire.org>, "Brian Oneill" <boneill@trfire.org>, "Bruce Miller" <bmillex@xxxxxx.xxx>, "Jerry Galione" <jgalione@trfire.org>, "Pat Reynolds" <preynolds@trfire.org>, "Michael Lemore" <mlemore@trfire.org>
Subject: Re: certified letter

Ken
The investigation committee will meet with you Tomorrow Friday 7/30 at 1900 hours at the main station.
Bryant Curry
President
Toms River Fire #2

On Jul 29, 2021, at 6:12 PM, bcurry@trfire.org wrote:

Ken,
I'll let you know when we can meet you. The committee held a meeting which you never attended. The bylaws doesn't say we need to mail the letter but give you a copy, which was provided in an email and text. I cannot believe you had no access to email and text. I'll talk with the members of the committee and see when we can meet with you. What is the best way to contact you about the meeting if we can? I don't want to hear you have no access or didn't receive the date in time.
I'll ask again don't include people in the email. The Corp officers that need to be involved are and again there's non Corp officers and regular members you're including.

Bryant Curry
President
Toms River Fire Co #2

On Jul 29, 2021, at 4:30 PM, kpiscopo@trfire.org wrote:

Bryant,

As per the bi-laws in Article 9 Section 8 states that the accused has a right to a hearing. You scheduled a hearing on Tuesday but you did not mail the letter until 3:13pm on Monday. I was on vacation and was no able to access emails.

I have included the corporate officers to keep them informed.

Kenny Piscopo
firefighter/Tustee

-----Original Message-----

From: bcurry@trfire.org

Sent: Thursday, July 29, 2021 3:58pm

To: kpiscopo@trfire.org

Cc: "Charles Weinberger" <cweinberger@trfire.org>, "Brian Oneill" <boneill@trfire.org>, "Bruce Miller" <bmillier@trfire.org>, "Jerry Galione" <jgalione@trfire.org>, "Pat Reynolds" <preynolds@trfire.org>, "Michael Lemoire" <mlemore@trfire.org>

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Matthew Donohue

From: xxxxxx@xxxxxx.xxx
Sent: Thursday, July 29, 2021 8:00 PM
To: kpiscopo@trfire.org
Cc: Charles Weinberger; Brian Oneill; Bruce Miller; Jerry Galione; Pat Reynolds; Michael Lemore
Subject: Re: certified letter

Ken, as mentioned in a previous email the committee will meet with to tomorrow 7/30 at 1900hrs. Please confirm your attendance.

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Now for the third time and instead of me asking I'm now telling you to stop including other members and Corp officers that are not part of the investigation. They are not part of the investigation and do not need to know any details till after the investigation is complete and the findings are brought to the membership.

Thank you
Bryant Curry
President
Toms River Fire Co #2

On Jul 29, 2021, at 7:41 PM, kpiscopo@trfire.org wrote:

Bryant,

You can send the information to this email as I am back in town.

Please include the member who brought me up on this complaint. Also, include the specific allegations of this complaint and any evidence and witnesses that you have. None of this was included in the letter that I received which I am entitled to have.

Ken Piscopo
Fire fighter/Trustee

-----Original Message-----

From: bcurry@trfire.org
Sent: Thursday, July 29, 2021 6:12pm
To: kpiscopo@trfire.org
Cc: "Charles Weinberger" <cweinberger@trfire.org>, "Brian Oneill" <boneill@trfire.org>, "Bruce Miller" <bmllex@xxxxxx.xxx>, "Jerry Galione" <jgalione@trfire.org>, "Pat Reynolds" <preynolds@trfire.org>, "Michael Lemore" <mlemox@xxxxxx.xxx>
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Matthew Donohue

From: kpiscopo@trfire.org
Sent: Friday, July 30, 2021 3:43 PM
To: xxxxxx@xxxxxx.xxx
Cc: Charles Weinberger; Brian Oneill; Bruce Miller; Jerry Galione; Pat Reynolds; Michael Lemore
Subject: Re: certified letter

Bryant,

Less than a days notice is not sufficient time to schedule a meeting. As I explained yesterday, I have plans that cannot be cancelled. You leave me no option then to address the membership.

Since I will not be at meeting I need to know what allegations and who made them. Tuesday night 7/20/2021 I was home and never let the house so what actions did I allegedly do.

I take the silence of the members of this investigation committee as that they support the manner you are handling the investigation.

Kenny Piscopo
Fire Fighter/Trustee

-----Original Message-----

From: bcurry@trfire.org
Sent: Thursday, July 29, 2021 11:21pm
To: kpiscopo@trfire.org
Cc: "Charles Weinberger" <cweinberger@trfire.org>, "Brian Oneill" <boneill@trfire.org>, "Bruce Miller" <bmllex@xxxxxx.xxx>, "Jerry Galione" <jgalione@trfire.org>, "Pat Reynolds" <preynolds@trfire.org>, "Michael Lemore" <mlemore@trfire.org>
Subject: Re: certified letter

Ken, the 2nd and final invest meeting will be tomorrow 7/30 at 1900hrs. The committee may be able to meet a little earlier if that helps but I would need to know so I may reach out to them all. Per the By-laws we have 7 days to do an investigation and the committee isn't available the other days. If you don't make tomorrow you can try and address the membership in whole at the next meeting.

As for the charges against you and what you allegedly did was your actions on Tuesday night 7/20.

Bryant Curry
President
Toms River Fire Co #2

On Jul 29, 2021, at 9:06 PM, kpiscopo@trfire.org wrote:

Bryant,

You are giving me less than 24 hours notice and we have plans that we cannot cancel. I would expect you would want to conduct a fair investigation that included my testimony since I am the one with the charges against me. I don't know understand what your rush is and why you will not giving me information on what I allegedly did and who made the accusations. What is the secret? I have a right as a member to know so I can be prepared.

-----Original Message-----

From: bcurry@trfire.org
Sent: Thursday, July 29, 2021 8:13pm
To: kpiscopo@trfire.org
Cc: "Charles Weinberger" <cweinberger@trfire.org>, "Brian Oneill" <boneill@trfire.org>, "Bruce Miller"

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Ken, as mentioned in a previous email the committee will meet with to tomorrow 7/30 at 1900hrs. Please confirm your attendance.

As for the specific allegations they were indicated in the letter. As for the member who filed the complaint, you will find out during the investigation meeting tomorrow. The other so called evidence and witnesses we do not have to give this to you at this time. Nothing in the By-laws requires us to provide this information.

Now for the third time and instead of me asking I'm now telling you to stop including other members and Corp officers that are not part of the investigation. They are not part of the investigation and do not need to know any details till after the investigation is complete and the findings are brought to the membership.

Thank you
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President
Toms River Fire Co #2

Sent from my iPhone

> On Jul 29, 2021, at 7:59 PM, bcurry@trfire.org wrote:

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> Toms River Fire Co #2

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Sent: Friday, July 30, 2021 8:07 PM
To: kpiscopo@trfire.org
Cc: Charles Weinberger; Brian Oneill; Bruce Miller; Jerry Galione; Pat Reynolds; Michael Lemore
Subject: Re: certified letter

Hello Ken

The committee met tonight and agreed we will meet with you on Tuesday 8/3 at 1815 hrs for you to address the committee.

Please confirm your attendance.

Thank you
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President
Toms River Fire Co #2

On Jul 30, 2021, at 3:42 PM, kpiscopo@trfire.org wrote:

Bryant,

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- >
- > Thank you
- > Bryant Curry
- > President
- > Toms River Fire Co #2

Matthew Donohue

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Sent: Saturday, July 31, 2021 7:35 PM
To: kpiscopo@trfire.org
Cc: Charles Weinberger; Brian Oneill; Bruce Miller; Jerry Galione; Pat Reynolds; Michael Lomore
Subject: Re: certified letter

Ken, Can you please confirm the email below about meeting Tuesday at 1815 hrs (6:15pm)

Thank you
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Cc: "Charles Weinberger" <cweinberger@trfire.org>, "Brian Oneill" <boneill@trfire.org>, "Bruce Miller" <bmillier@trfire.org>, "Jerry Galione" <jgalione@trfire.org>, "Pat Reynolds" <preynolds@trfire.org>, "Michael Lemoire" <mlemore@trfire.org>

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Sent: Sunday, August 1, 2021 9:43 PM
To: xxxxxx@xxxxxx.xxx
Cc: Charles Weinberger; Brian Oneill; Bruce Miller; Jerry Galione; Pat Reynolds; Michael Lemoire
Subject: Re: certified letter

Bryant,

I need to know why I am being charged with these allegations. I have a right to be prepared. I have asked a number of times and your only response is my actions Tuesday night. Please clarify my actions on Tuesday night.

How and to who was I insubordinate to?
How was I unbecoming as a member?
What member did I threaten and how?
What officer did I threaten and how?
Who did I harass and how?

Being a member of the investigation committee, we have briefed members prior in the past and I deserve the same treatment.

Kenny Piscopo
Fire fighter/Trustee

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Subject: Re: certified letter

Ken, the 2nd and final invest meeting will be tomorrow 7/30 at 1900hrs. The committee may be able to meet a little earlier if that helps but I would need to know so I may reach out to them all. Per the By-laws we have 7 days to do an investigation and the committee isn't available the other days. If you don't make tomorrow you can try and address the membership in whole at the next meeting.

As for the charges against you and what you allegedly did was your actions on Tuesday night 7/20.

Bryant Curry
President
Toms River Fire Co #2

On Jul 29, 2021, at 9:06 PM,
kpiscopo@trfire.org wrote:

Bryant,

You are giving me less than 24 hours notice and we have plans that we cannot cancel. I would expect you would want to conduct a fair investigation that included my testimony since I am the one with the charges against me. I don't know understand what your rush is and why you will not giving me information on what I allegedly did and who made the accusations. What is the secret? I have a right as a member to know so I can be prepared.

-----Original Message-----

From: bcurry@trfire.org
Sent: Thursday, July 29, 2021 8:13pm
To: kpiscopo@trfire.org
Cc: "Charles Weinberger" <cweinberger@trfire.org>, "Brian Oneill" <boneill@trfire.org>, "Bruce Miller" <bmilllex@xxxxxx.xxx>, "Jerry Galione"

<jgalione@trfire.org>, "Pat Reynolds"
<preynolds@trfire.org>, "Michael
Lemore" <mlemore@trfire.org>
Subject: Re: certified letter

Ken the meeting is set for tomorrow night. Please make arrangements to attend. The members of the committee have changed there schedule know twice to hold 2 meeting. Below is the email I sent before also.

Ken, as mentioned in a previous email the committee will meet with to tomorrow 7/30 at 1900hrs. Please confirm your attendance.

As for the specific allegations they were indicated in the letter. As for the member who filed the complaint, you will find out during the investigation meeting tomorrow. The other so called evidence and witnesses we do not have to give this to you at this time. Nothing in the By-laws requires us to provide this information.

Now for the third time and instead of me asking I'm now telling you to stop including other members and Corp officers that are not part of the investigation. They are not part of the investigation and do not need to know any details till after the investigation is complete and the findings are brought to the membership.

Thank you
Bryant Curry
President
Toms River Fire Co #2

Sent from my iPhone

> On Jul 29, 2021, at 7:59 PM,
bcurry@trfire.org wrote:

>

> Ken, as mentioned in a previous email the committee will meet with to tomorrow 7/30 at 1900hrs. Please confirm your attendance.

>

> As for the specific allegations they were indicated in the letter. As for the member who filed the complaint, you will find out during the investigation meeting tomorrow. The other so called evidence and witnesses we do not have to give this to you at this time. Nothing in the By-laws requires us to provide this information.

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>

> Thank you

> Bryant Curry

> President

> Toms River Fire Co #2

Matthew Donohue

From: kpiscopo@trfire.org
Sent: Wednesday, August 4, 2021 10:24 AM
To: Brian Kubiel
Cc: xxxxxxxxxxxx@xxxxx.xxx
Subject: RE: July 20 2021

Brian,

I am inquiring about the findings of the complaint I sent you on July 20, 2021.

Also, on July 21st 2021 Toms River Fire Company No 2 brought me up on charges and members last night informed me that they voted me out of the fire company. I believe this is direct retaliation for my July 20, 2021 complaint. I will be sending you further information.

Sincerely,
Kenny Piscopo

-----Original Message-----

From: "Brian Kubiel" <bkubiel@trfire.org>
Sent: Wednesday, July 21, 2021 7:43am
To: "Kenneth Piscopo" <kpiscopo@trfire.org>
Cc: "Monica Bisceglie" <mbisceglie@trfire.org>, "Monica Bisceglie" <monicabisceglie@trfire.org>, "Bryant Curry" <bcurry@trfire.org>, "Jeffery Cirz" <jcirz@trfire.org>, "Everett Seaman" <eseaman@trfire.org>
Subject: RE: July 20 2021

As referenced in his concern, please provide all video and any other information relevant to this issue by the close of business on Friday, July 23rd. Brian

From: kpiscopo@trfire.org <kpiscopo@trfire.org>
Sent: Tuesday, July 20, 2021 11:02 PM
To: Brian Kubiel <bkubiel@trfire.org>
Cc: Monica Bisceglie <mbisceglie@trfire.org>; Monica Bisceglie <monicabisceglie@trfire.org>; Bryant Curry <bcurry@trfire.org>; Jeffery Cirz <jcirz@trfire.org>
Subject: July 20 2021

July 20, 2021

Dear Mr. Kubiel,

I am writing this because I feel I have no other options. This letter is to serve as notification that I am continuously being harassed by another member and officer of Toms River Fire Company No 2. Since Officer Tim Cook has joined Toms River Fire Company No 2, I have been a target of his. Due to his harassment, I have limited my time around the fire house because I do not feel safe and have tried to avoid confrontations with him.

Last Tuesday, I was asked by Bryant Curry since I am a Trustee to run the drill, as it was corporate night. Officer Tim Cook was disrespectful and mocked me when I left the room to other members of the firehouse including junior and probationary members. He disrespects me as a corporate officer as well as a member of the fire department. I reported the incident but again nothing was done.

I chose not to attend the drill tonight to avoid any further incidents with Officer Tim Cook. At about 8:15pm tonight, Officer Tim Cook came screeching down my street in 2631 with the Jake brake on. I received numerous complaints from my neighbors thinking that I had something to do with it. He even woke up a baby in one house. There is no reason to go down any residential street in Toms River

including mine with the jake brake on. Out of all the streets in Toms River, Officer Cook chooses mine to do this disrespectful and obnoxious act.

By the actions of Officer Tim Cook, he is putting the members of the fire company in danger. If you do not have the trust of the members than how can you feel safe entering a burning building with them. I have addressed my concerns since the first time he tried to lie that I disobeyed orders. Chief Jeff Cirz had it on video to prove otherwise but there was no consequence. If needed I can give further details of different situations including multiple times that he has called me a guinea due to my Italian heritage in front of other members. I have reported this harassment and other incidents to multiple officers both corporate and firematic, but the harassment continues, and nothing ever gets resolved.

I have video with sound of the incident tonight if you need it. If you need any further information, feel free to contact me.

Sincerely,

Kenny Piscopo

Firefighter, Toms River Fire Co No 2

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Matthew Donohue

From: xxxxxxxxxxxxxxxxx@xxxxxxxx.xxx
Sent: Thursday, August 5, 2021 9:47 AM
To: xxxxxx@xxxxxxxx.xxx
Subject: minutes 8-3-21
Attachments: Investigating Committee July 27, 2021.doc; Meeting Minutes 8-3-2021.doc

Check - Make changes Bold Print so I can see and make changes. Then I will send PDF.
Pat

Matthew Donohue

From: Monica Bisceglie
Sent: Thursday, August 5, 2021 3:17 PM
To: Fire26Members
Cc: Reed, Deirdre; Brian Kubiel; Lenny Minkler
Subject: physicals
Attachments: PHYSICALS LIST CO 2 2021.xlsx; 2021-physical package.pdf

Good afternoon to all,

It's that time of year. Physicals to commence starting August 9, 2021. Please see attached physical package and the list of members that need to schedule their appointment. Any firefighter that has come into the fire service within the past year does not need to schedule. If you don't see your name on the list you do not have to go.

If you don't see your name on the list and feel this is an error please contact me so you can be added. Hard copies will be available from the chief if you do not have a printer. Any questions or concerns please feel free to contact this office.

*****Please note you will need to fast for your appointment.

Monica Bisceglie
Human Resource Coordinator
Toms River Fire District No. 1
Phone 732-341-4441
Fax 732-505-2150
xxxxxxxxxxxxxx@xxxxxx.xxx

Communication is the Key to a Productive Fire Service

Matthew Donohue

From: Daniel Rodrick <xxxxxxxx@xxxxxxxxxxxxxxxxxxx>
Sent: Tuesday, August 10, 2021 1:23 PM
To: Brian Kubiell
Subject: Letter to Administrator Kubiell and District 1 Commissioners
Attachments: Fire Commissioner Letter.pdf

Brian,

Please see attached and kindly forward to District 1 Commissioners. Thank you for your attention in this matter.

Sincerely,

Dan Rodrick

Matthew Donohue

From: kpiscopo@trfire.org
Sent: Tuesday, August 10, 2021 4:47 PM
To: Bryant Curry
Cc: Charles Weinberger; Brian Oneill; Bruce Miller; Jerry Galione; Pat Reynolds; Michael Lemoire; photonewsnetwoxx@xxxxxxx.xxx
Subject: request

Bryant,

I am requesting that you send me the following:

- a copy of the original complaint
- a copy of the investigation reports from the investigation meetings
- a copy of an alleged recording by Dave Rice
- any other evidence that you obtained

Sincerely,

Kenny Piscopo

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Matthew Donohue

From: kpiscopo@trfire.org
Sent: Tuesday, August 10, 2021 5:08 PM
To: Brian Kubiel
Cc: xxxxxxxxxxxx@xxxxx.xxx
Subject: appeal

Brian,

I have been notified by Toms River Fire Company #2 that they removed me as a member at the August 3, 2021 meeting. I am writing to you to request an appeal to this decision.

Sincerely,

Kenny Piscopo

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Matthew Donohue

From: Brian Kubiel
Sent: Wednesday, August 11, 2021 7:53 AM
To: 'Jeffery Cirz (jcirz@trfire.org)'
Subject: Removal from the Rolls

Good morning, Chief. We have been advised by Firefighter Piscopo that Company No. 2 has removed him from the rolls. We have not officially been notified to do so. In addition, he has filed an appeal with the Board regarding this matter. Please provide all documentation, audio etc. so the Board can review it. Thank you. Brian

Brian S. Kubiel, MBA, CPM, QPA
Chief Administrator
Toms River Board of Fire
Commissioners District No. 1
1144 Hooper Avenue, Suite 306
Toms River, NJ 08753
Voice (732) 341-4441
Fax (732) 505-2150
E-mail: bkubixx@xxxxxx.xxx
Web Address: www.trfire.org

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Matthew Donohue

From: Brian Kubiel
Sent: Wednesday, August 11, 2021 8:03 AM
To: kpiscopo@trfire.org
Cc: Melanie Appleby; George Convery
Subject: RE: appeal

Good morning,. We are in receipt of your appeal. Please provide all audio tape, documentation etc. that was used in your investigative hearing or any other information that may be pertinent with this matter. Additionally, please send the official notification that you were removed from the fire company. Please provide by the close of business on August 20th so that I can review it with the Board and its legal counsel for we can determine the best course of action. Brian

From: kpiscoxx@xxxxxx.xxx
Sent: Tuesday, August 10, 2021 5:08 PM
To: Brian Kubiel
Cc: kennypiscxxx@xxxxx.xxx
Subject: appeal

Brian,

I have been notified by Toms River Fire Company #2 that they removed me as a member at the August 3, 2021 meeting. I am writing to you to request an appeal to this decision.

Sincerely,

Kenny Piscopo

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Matthew Donohue

From: jcirz@trfire.org
Sent: Wednesday, August 11, 2021 8:32 AM
To: Brian Kubiel
Cc: Bryant Curry
Subject: Re: Removal from the Rolls

Chief that was being left up to our president to notify the board. I do not have access to any documents or files President Curry can provide all of that to you.

Toms River Fire Chief 2600
Jeff Cirz

On Aug 11, 2021, at 7:52 AM, Brian Kubiel <bkubiel@trfire.org> wrote:

Good morning, Chief. We have been advised by Firefighter Piscopo that Company No. 2 has removed him from the rolls. We have not officially been notified to do so. In addition, he has filed an appeal with the Board regarding this matter. Please provide all documentation, audio etc. so the Board can review it. Thank you. Brian

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Matthew Donohue

From: xxxxxx@xxxxxx.xxx
Sent: Wednesday, August 11, 2021 12:55 PM
To: jcirz@trfire.org
Cc: Brian Kubiel; Monica Bisceglie
Subject: Re: Removal from the Rolls

Hello Brian

Please take this email as notification to the board that firefighter Ken Piscopo has been removed from our company due to his violation of the Toms River Fire Company #2 By-laws. This decision was voted by the membership of the company at our last regular meeting. The reason for not notifying the board right away was to allow the company to notify Mr Piscopo.

Thank you
Bryant Curry
President
Toms River Fire Company #2

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Matthew Donohue

From: Brian Kubiel
Sent: Wednesday, August 11, 2021 2:09 PM
To: xxxxxx@xxxxxx.xxx; Jeffery Cirz
Cc: Monica Bisceglie; Melanie Appleby
Subject: RE: Removal from the Rolls

Good afternoon. As stated in my earlier email, Firefighter Piscopo has filed a challenge to his removal from the roles. Please submit all audio, documentation etc. so the board can review. Mr. Piscopo has spoken about a legal challenge and the board does not want to have any liability as we have had with actions taken by the company. The Board will not take action on his removal. Brian

From: bcurry@trfire.org
Sent: Wednesday, August 11, 2021 12:55 PM
To: Jeffery Cirz
Cc: Brian Kubiel ; Monica Bisceglie
Subject: Re: Removal from the Rolls

Hello Brian

Please take this email as notification to the board that firefighter Ken Piscopo has been removed from our company due to his violation of the Toms River Fire Company #2 By-laws. This decision was voted by the membership of the company at our last regular meeting. The reason for not notifying the board right away was to allow the company to notify Mr Piscopo.

Thank you
Bryant Curry
President
Toms River Fire Company #2

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Toms River Fire Chief 2600
Jeff Cirz

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Matthew Donohue

From: xxxxxx@xxxxxx.xxx
Sent: Wednesday, August 11, 2021 11:24 PM
To: Brian Kubiel
Cc: Jeffery Cirz; Monica Bisceglie; Melanie Appleby; Cj Weinberger; Harry Clayton; Michael Lomore; Robert Sroczynski; Alan Robertson
Subject: Re: Removal from the Rolls

Good evening

The removal of Mr Piscopo was on the charges that were filed against him from another member not because he emailed the board with an alleged issue.

He was removed for insubordination and verbal physical threat to another member, which is direct violation of Company 2 By-law 9.2. The information that was obtained from the company's investigation committee is the company's private busy, kind of like the boards close session. This information you're requesting can not be shared per our company By-laws as it states "that no member shall disclose any information discussed at the company meeting or special meeting to anyone other than members of the company."

Mr Piscopo had three separate occasions to attend a meeting during which time he would've had the opportunity to see the complaint and hear the recording. All three times he refused to attend. We feel any appeal to the board is not acceptable as we're a 501(c)(3) Organizations with our own bylaws that need to be adhered by all our members.

Thank you
Bryant Curry
President
Toms River Fire Company #2

Cc: company Corp officers.

On Aug 11, 2021, at 2:09 PM, Brian Kubiel <bkubiel@trfire.org> wrote:

Good afternoon. As stated in my earlier email, Firefighter Piscopo has filed a challenge to his removal from the roles. Please submit all audio, documentation etc. so the board can review. Mr. Piscopo has spoken about a legal challenge and the board does not want to have any liability as we have had with actions taken by the company. The Board will not take action on his removal. Brian

From: bcurry@trfire.org <xxxxxx@xxxxxx.xxx>
Sent: Wednesday, August 11, 2021 12:55 PM
To: Jeffery Cirz <jcirz@trfire.org>

Cc: Brian Kubiel <bkubiel@trfire.org>; Monica Bisceglie <mbisceglie@trfire.org>

Subject: Re: Removal from the Rolls

Hello Brian

Please take this email as notification to the board that firefighter Ken Piscopo has been removed from our company due to his violation of the Toms River Fire Company #2 By-laws. This decision was voted by the membership of the company at our last regular meeting. The reason for not notifying the board right away was to allow the company to notify Mr Piscopo.

Thank you
Bryant Curry
President
Toms River Fire Company #2

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Jeff Cirz

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Matthew Donohue

From: Brian Kubiak <xxxxxxx@xxxxxx.xxx>
Sent: Thursday, August 12, 2021 6:43 AM
To: Bryant Curry
Cc: Melanie Appleby
Subject: Re: Removal from the Rolls

Ok. Because he has filed an appeal with the Board and your companies denial of all the records that were requested several times before and after your companies investigation and the fact that drivers training (which involves board owned equipment), if Mr. Piscopo files legal action, Company No. 2 agrees that they will indemnify the Commissioners, it's employees and anyone else related to the Board from any actions as a result of his legal claim.

Sent from my iPhone

On Aug 11, 2021, at 23:24, bcurry@trfire.org wrote:

Good evening

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He was removed for insubordination and verbal physical threat to another member, which is direct violation of Company 2 By-law 9.2. The information that was obtained from the company's investigation committee is the company's private business, kind of like the board's close session. This information you're requesting can not be shared per our company By-laws as it states "that no member shall disclose any information discussed at the company meeting or special meeting to anyone other than members of the company."

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Cc: company Corp officers.

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To: Jeffery Cirz <jcirz@trfire.org>
Cc: Brian Kubiel <bkubiel@trfire.org>; Monica Bisceglie <mbisceglie@trfire.org>
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President
Toms River Fire Company #2

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Toms River Fire Chief 2600
Jeff Cirz

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Board regarding this matter. Please provide all documentation, audio etc. so the Board can review it. Thank you. Brian

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Matthew Donohue

From: Brian Kubiel
Sent: Friday, August 13, 2021 2:08 AM
To: Bryant Curry
Subject: Appeal

Good afternoon, Bryant. I did some further research regarding the denial of records. With that being said there are some issues that your company needs to be aware of.

First, there is a misunderstanding of the relationship between a fire company and the Fire District. N.J.S.A. 40A:14-70.1 provides the manner by which a volunteer fire company may interact with the Board. The Board may contract with the volunteer fire company for the purpose of extinguishing fires, upon the "terms and conditions as shall be deemed proper. The members of the company "shall be under the supervision and control of the board of fire commissioners and in performing fire duty shall be deemed to be exercising a government function[.]" The fact that your company is a 501(3)(c) has no bearing upon the relationship between the Board and its fire companies. The company is under the control of the Board.

Additionally, the bylaws of the company may not conflict with the Boards. Article II, FIRE COMPANIES, Section 2, states that "[n]o Fire Company's Constitution or By-Laws shall conflict with the Rule and Regulations set forth by the Board of Fire Commissioners." The provision quoted by Fire Company No. 2's as to its By-laws cannot be used to deny access to documentation to the Board.

As to the appeal, the right of appeal is to the individual member, not the Fire Company. Article II, FIRE COMPANIES, Section 3(E) states:

(E) If a Fire Company expels or suspends any of its firematic members, such expulsion or suspension should be reported to the Board of Fire Commissioners at their next Regular Meeting.
The expelled or suspended member has the right of appeal to the Board of Fire Commissioners to be exercised within thirty days after receipt of notification by the Company of the final disposition of the matter. The decision of the Board of Fire Commissioners shall be final and conclusive.

Mr. Piscopo has a right to appeal. The Fire Company is not in a position to deny that and exposes the District to liability, and a continued refusal to cooperate will require the Board to contact the OCJIF as to a potential claim and possible disciplinary actions.

Thank you. Brian

Brian S. Kubiel, MBA, CPM, QPA
Chief Administrator
Toms River Board of Fire
Commissioners District No. 1
1144 Hooper Avenue, Suite 306
Toms River, NJ 08753

Voice (732) 341-4441
Fax (732) 505-2150
E-mail: bkubixx@xxxxxx.xxx
Web Address: www.trfire.org

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Matthew Donohue

From: kpiscopo@trfire.org
Sent: Saturday, August 14, 2021 1:22 PM
To: Bryant Curry
Cc: Charles Weinberger; Brian Oneil; Bruce Miller; Jerry Galione; Pat Reynolds; Michael Lemore; photonetwork@verizon.net; Alan Robertson; Harry Clayton; Robert Sroczynski; xxxxxxxxxxxx@xxxxx.xxx
Subject: FW: request - 2nd Request

Bryant,

This is my 2nd request for the following information:

- a copy of the original complaint
- a copy of the investigation reports from the investigation meetings
- a copy of an alleged recording by Dave Rice
- any other evidence that you obtained

Sincerely,
Kenny Piscopo

-----Original Message-----

From: kpiscopo@trfire.org
Sent: Tuesday, August 10, 2021 4:47pm
To: "Bryant Curry" <bcurry@trfire.org>
Cc: "Charles Weinberger" <cweinberger@trfire.org>, "Brian Oneill" <boneill@trfire.org>, "Bruce Miller" <bmilllex@xxxxxx.xxx>, "Jerry Galione" <jgalione@trfire.org>, "Pat Reynolds" <preynolds@trfire.org>, "Michael Lemore" <mlemore@trfire.org>, photonetwork@verizon.net
Subject: request

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I am requesting that you send me the following:

- a copy of the original complaint
- a copy of the investigation reports from the investigation meetings
- a copy of an alleged recording by Dave Rice
- any other evidence that you obtained

Sincerely,
Kenny Piscopo

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Matthew Donohue

From: kpiscopo@trfire.org
Sent: Saturday, August 14, 2021 2:51 PM
To: xxxxxxxxxxxx@xxxxx.xxx
Subject: FW: July 20 2021

-----Original Message-----

From: kpiscopo@trfire.org
Sent: Tuesday, July 20, 2021 11:01pm
To: "Brian Kubiel" <bkubiel@trfire.org>
Cc: "Monica Bisceglie" <mbisceglie@trfire.org>, "Monica Bisceglie" <monicabisceglie@trfire.org>, "Bryant Curry" <bcurry@trfire.org>, "Jeffery Cirz" <jcirz@trfire.org>
Subject: July 20 2021

July 20, 2021

Dear Mr. Kubiel,

I am writing this because I feel I have no other options. This letter is to serve as notification that I am continuously being harassed by another member and officer of Toms River Fire Company No 2. Since Officer Tim Cook has joined Toms River Fire Company No 2, I have been a target of his. Due to his harassment, I have limited my time around the fire house because I do not feel safe and have tried to avoid confrontations with him.

Last Tuesday, I was asked by Bryant Curry since I am a Trustee to run the drill, as it was corporate night. Officer Tim Cook was disrespectful and mocked me when I left the room to other members of the firehouse including junior and probationary members. He disrespects me as a corporate officer as well as a member of the fire department. I reported the incident but again nothing was done.

I chose not to attend the drill tonight to avoid any further incidents with Officer Tim Cook. At about 8:15pm tonight, Officer Tim Cook came screeching down my street in 2631 with the Jake brake on. I received numerous complaints from my neighbors thinking that I had something to do with it. He even woke up a baby in one house. There is no reason to go down any residential street in Toms River including mine with the jake brake on. Out of all the streets in Toms River, Officer Cook chooses mine to do this disrespectful and obnoxious act.

By the actions of Officer Tim Cook, he is putting the members of the fire company in danger. If you do not have the trust of the members than how can you feel safe entering a burning building with them. I have addressed my concerns since the first time he tried to lie that I disobeyed orders. Chief Jeff Cirz had it on video to prove otherwise but there was no consequence. If needed I can give further details of different situations including multiple times that he has called me a guinea due to my Italian heritage in front of other members. I have reported this harassment and other incidents to multiple officers both corporate and firematic, but the harassment continues, and nothing ever gets resolved.

I have video with sound of the incident tonight if you need it. If you need any further information, feel free to contact me.

Sincerely,

Kenny Piscopo

Firefighter, Toms River Fire Co No 2

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or copying of it or its contents is prohibited. If you receive this communication in error, please notify me immediately by replying to this message and deleting it from your computer. Thank you!

Matthew Donohue

From: xxxxxx@xxxxxx.xxx
Sent: Monday, August 16, 2021 7:20 AM
To: Brian Kubiel
Cc: Cj Weinberger; Michael Lemoire; Robert Sroczynski; Harry Clayton; Alan Robertson
Subject: Re: Appeal

Good morning Brian

After this email and others the company and corporate office decided to consult with our legal counsel. I'll let you know in a few days where we stand.

Thank you
Bryant Curry
President
Toms River Fire Co #2

On Aug 13, 2021, at 2:08 AM, Brian Kubiel <bkubiel@trfire.org> wrote:

Good afternoon, Bryant. I did some further research regarding the denial of records. With that being said there are some issues that your company needs to be aware of.

First, there is a misunderstanding of the relationship between a fire company and the Fire District. N.J.S.A. 40A:14-70.1 provides the manner by which a volunteer fire company may interact with the Board. The Board may contract with the volunteer fire company for the purpose of extinguishing fires, upon the "terms and conditions as shall be deemed proper. The members of the company "shall be under the supervision and control of the board of fire commissioners and in performing fire duty shall be deemed to be exercising a government function[.]" The fact that your company is a 501(3)(c) has no bearing upon the relationship between the Board and its fire companies. The company is under the control of the Board.

Additionally, the bylaws of the company may not conflict with the Boards. Article II, FIRE COMPANIES, Section 2, states that "[n]o Fire Company's Constitution or By-Laws shall conflict with the Rule and Regulations set forth by the Board of Fire Commissioners." The provision quoted by Fire Company No. 2's as to its By-laws cannot be used to deny access to documentation to the Board.

As to the appeal, the right of appeal is to the individual member, not the Fire Company. Article II, FIRE COMPANIES, Section 3(E) states:

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The expelled or suspended member has the right of appeal to the Board of Fire Commissioners to be exercised within thirty days after receipt of notification by the Company of the final disposition of the matter. The decision of the Board of Fire Commissioners shall be final and conclusive.

Mr. Piscopo has a right to appeal. The Fire Company is not in a position to deny that and exposes the District to liability, and a continued refusal to cooperate will require the Board to contact the OCJIF as to a potential claim and possible disciplinary actions.

Thank you. Brian

Brian S. Kubiel, MBA, CPM, QPA
Chief Administrator
Toms River Board of Fire
Commissioners District No. 1
1144 Hooper Avenue, Suite 306
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Matthew Donohue

From: kpiscopo@trfire.org
Sent: Thursday, August 19, 2021 1:01 PM
To: Bryant Curry; Charles Weinberger; Brian Oneill; Bruce Miller; Jerry Galione; Pat Reynolds; Michael Lemoire; photonetwork@verizon.net; Alan Robertson; Harry Clayton; Robert Sroczynski; Jeffery Cirz
Cc: xxxxxxxxxxxx@xxxxx.xxx
Subject: OPRA REQUEST - 3rd Request ; FW: request - 2nd Request

To the Officers and Investigating Committee of Toms River Fire Co No 2,

I am here by requesting the following documents under the Open Public Records Act and Common Law Right of Access:

- a copy of the original complaint
- a copy of the investigation reports from the investigation meetings
- a copy of an alleged recording by Dave Rice
- any other evidence that you obtained;

This is my 3rd request.

Sincerely,
Kenneth Piscopo

-----Original Message-----

From: kpiscopo@trfire.org
Sent: Saturday, August 14, 2021 1:21pm
To: "Bryant Curry" <bcurry@trfire.org>
Cc: "Charles Weinberger" <cweinberger@trfire.org>, "Brian Oneil" <boniell@trfire.org>, "Bruce Miller" <bmllex@xxxxxx.xxx>, "Jerry Galione" <jgalione@trfire.org>, "Pat Reynolds" <preynolds@trfire.org>, "Michael Lemoire" <mlemore@trfire.org>, photonetwork@verizon.net, "Alan Robertson" <akrobertson71@yahoo.com>, "Harry Clayton" <hclayton@trfire.org>, "Robert Sroczynski" <rsroczynski@trfire.org>, kennypiscopo@gmail.com
Subject: FW: request - 2nd Request

Bryant,

This is my 2nd request for the following information:

- a copy of the original complaint
- a copy of the investigation reports from the investigation meetings
- a copy of an alleged recording by Dave Rice
- any other evidence that you obtained

Sincerely,
Kenny Piscopo

-----Original Message-----

From: kpiscopo@trfire.org
Sent: Tuesday, August 10, 2021 4:47pm
To: "Bryant Curry" <bcurry@trfire.org>

Cc: "Charles Weinberger" <cweinberger@trfire.org>, "Brian Oneill" <boneill@trfire.org>, "Bruce Miller" <bmillex@xxxxxx.xxx>, "Jerry Galione" <jgalione@trfire.org>, "Pat Reynolds" <preynolds@trfire.org>, "Michael Lemoire" <mlemore@trfire.org>, photonewsnetwork@verizon.net
Subject: request

Bryant,

I am requesting that you send me the following:

- a copy of the original complaint
- a copy of the investigation reports from the investigation meetings
- a copy of an alleged recording by Dave Rice
- any other evidence that you obtained

Sincerely,
Kenny Piscopo

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Matthew Donohue

From: Tarver Law Office <xxxxxxxxxxxxxx@xxxxx.xxx>
Sent: Friday, August 20, 2021 3:05 PM
To: bkubiel@trfire.org
Subject: In the Matter of Kenneth Piscopo
Attachments: ltr.Kubiel.8.20.21000.pdf

Good afternoon,

This office has been retained to represent Kenneth Piscopo relative to his termination from Toms River Fire Company No. 2. Pursuant to our telephonic discussion please see attached request for correspondence and other information.

Robert L. Tarver, Jr.

--

Law Offices of Robert L. Tarver, Jr.
Attorneys and Counselors at Law
66 South Main Street
Toms River, New Jersey 08757
Tel: (732) 341-2152 Fax: (732) 341-2153



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Matthew Donohue

From: Brian Kubiel
Sent: Monday, August 23, 2021 7:51 AM
To: Jean Cipriani
Subject: FW: Appeal

From: bcurry@trfire.org
Sent: Monday, August 16, 2021 7:20 AM
To: Brian Kubiel
Cc: Charles Weinberger ; Michael Lemore ; Robert Sroczynski ; Harry Clayton ; Alan Robertson
Subject: Re: Appeal

Good morning Brian

After this email and others the company and corporate office decided to consult with our legal counsel. I'll let you know in a few days where we stand.

Thank you
Bryant Curry
President
Toms River Fire Co #2

On Aug 13, 2021, at 2:08 AM, Brian Kubiel <xxxxxxx@xxxxxx.xxx> wrote:

Good afternoon, Bryant. I did some further research regarding the denial of records. With that being said there are some issues that your company needs to be aware of.

First, there is a misunderstanding of the relationship between a fire company and the Fire District. N.J.S.A. 40A:14-70.1 provides the manner by which a volunteer fire company may interact with the Board. The Board may contract with the volunteer fire company for the purpose of extinguishing fires, upon the "terms and conditions as shall be deemed proper. The members of the company "shall be under the supervision and control of the board of fire commissioners and in performing fire duty shall be deemed to be exercising a government function[.]" The fact that your company is a 501(3)(c) has no bearing upon the relationship between the Board and its fire companies. The company is under the control of the Board.

Additionally, the bylaws of the company may not conflict with the Boards. Article II, FIRE COMPANIES, Section 2, states that "[n]o Fire Company's Constitution or By-Laws shall conflict with the Rule and Regulations set forth by the Board of Fire Commissioners." The provision quoted by Fire Company No. 2's as to its By-laws cannot be used to deny access to documentation to the Board.

As to the appeal, the right of appeal is to the individual member, not the Fire Company. Article II, FIRE COMPANIES, Section 3(E) states:

(E) If a Fire Company expels or suspends any of its firematic members, such expulsion or suspension should be reported to the Board of Fire Commissioners at their next Regular Meeting.

The expelled or suspended member has the right of appeal to the Board of Fire Commissioners to be exercised within thirty days after receipt of notification by the Company of the final disposition of the matter. The decision of the Board of Fire Commissioners shall be final and conclusive.

Mr. Piscopo has a right to appeal. The Fire Company is not in a position to deny that and exposes the District to liability, and a continued refusal to cooperate will require the Board to contact the OCJIF as to a potential claim and possible disciplinary actions.

Thank you. Brian

Brian S. Kubiel, MBA, CPM, QPA
Chief Administrator
Toms River Board of Fire
Commissioners District No. 1
1144 Hooper Avenue, Suite 306
Toms River, NJ 08753
Voice (732) 341-4441
Fax (732) 505-2150
E-mail: bkubixx@xxxxxx.xxx
Web Address: www.trfire.org

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Matthew Donohue

From: Brian Kubiel
Sent: Monday, August 23, 2021 8:58 AM
To: Bryant Curry; 'Jeffery Cirz (jcirz@trfire.org)'
Subject: FW: In the Matter of Kenneth Piscopo
Attachments: ltr.Kubiel.8.20.21000.pdf

Good morning. The Toms River Board of Fire Commissioners District No. 1 has received the attached letter for Mr. Robert Tarver, Esq. that he is representing Firefighter Kenneth Piscopo in the appeal of his removal from the rolls by Company No. 2. Please turn over all information as it relates to this matter by the close of business on Monday, August 30, 2021. The requested information shall include everything that was used in the companies investigation of this matter. The information shall include but not limited to the following:

- 1) All written documentation inclusive of emails, complaints, reports, text messages etc.
- 2) Names of all individuals that were interviewed or took part in the company investigation
- 3) Names of all members who were assigned to the companies investigation committee
- 4) Names of the presiding officer(s) over the investigation committee
- 5) All audio to include any video, audio of the company meeting, audio of the company investigation etc.
- 6) Any photographs etc. that were used as part of this investigation

Also, please include any other documentation etc. that was used as part of this investigation.

Thank you. Brian

Matthew Donohue

From: xxxxxx@xxxxxx.xxx
Sent: Monday, August 30, 2021 8:30 PM
To: Brian Kubiel
Cc: Jeffery Cirz
Subject: Re: In the Matter of Kenneth Piscopo

Hello Brian

The Company is retaining an attorney to handle this matter with the board. We feel the board has no say as to who the company votes in or out of our corporation under the Company Bylaws.

Once we hire and retain the correct attorney they will reach out to the board office.

Thank you
Bryant Curry
President
Toms River Fire Company #2

On Aug 23, 2021, at 8:57 AM, Brian Kubiel <bkubiel@trfire.org> wrote:

Good morning. The Toms River Board of Fire Commissioners District No. 1 has received the attached letter for Mr. Robert Tarver, Esq. that he is representing Firefighter Kenneth Piscopo in the appeal of his removal from the rolls by Company No. 2. Please turn over all information as it relates to this matter by the close of business on Monday, August 30, 2021. The requested information shall include everything that was used in the companies investigation of this matter. The information shall include but not limited to the following:

- 1) All written documentation inclusive of emails, complaints, reports, text messages etc.
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- 5) All audio to include any video, audio of the company meeting, audio of the company investigation etc.
- 6) Any photographs etc. that were used as part of this investigation

Also, please include any other documentation etc. that was used as part of this investigation.

Thank you. Brian
<ltr.Kubiel.8.20.21000.pdf>

Matthew Donohue

From: Brian Kubiel <xxxxxxx@xxxxxx.xxx>
Sent: Thursday, September 2, 2021 6:57 PM
To: Bryant Curry

Good evening, Bryant

The feelings of Toms River Fire Company No. 2 have no bearing on the legal obligations of the Company to comply with Toms River Fire District No. 1 demand for documentation and other evidence necessary for the District to conduct a proper appeal as to Kenneth Piscopo's removal by Company No. 2.

The Fire Company exists as a component of the Fire District and the municipality. I direct your attention to Chapters 109 and 114 of the Toms River Township Code, as well as N.J.S.A. 40A:14-70.1. The Fire Company is a government actor, under the auspices of the Fire District No. 1 and Toms River Township. The fact that you rely on your By-Laws as a means of defying the District is of no import. As you have been previously advised, your bylaws may not conflict with the Board's By-Laws. Article II, FIRE COMPANIES, Section 2, states that "[n]o Fire Company's Constitution or By-Laws shall conflict with the Rule and Regulations set forth by the Board of Fire Commissioners."

Mr. Piscopo has retained a lawyer and asserted his right to appeal under the District By-Laws, Article II, FIRE COMPANIES, Section 3(E), which states:

- (E) If a Fire Company expels or suspends any of its firematic members, such expulsion or suspension should be reported to the Board of Fire Commissioners at their next Regular Meeting. The expelled or suspended member has the right of appeal to the Board of Fire Commissioners to be exercised within thirty days after receipt of notification by the Company of the final disposition of the matter. The decision of the Board of Fire Commissioners shall be final and conclusive.

Fire Company No. 2 is placing Fire District No. 1 in a position to which it is exposed to significant liability for potential claims of denial of due process and federal §1983 claims, the latter of which may expose the District to payment of attorneys fees. We must notify the OCJIF of these potential claims, and the Fire Company No. 2's cooperation is paramount to receiving proper coverage and defense. Your obstruction may place the District in a position without insurance coverage which will result in possible individual liability and exorbitant legal settlement and costs which will need to be paid directly by the taxpayers. You and Fire Company No. 2 will need to answer to the public for that result.

Provide the following to me on behalf of the District by September 10, 2021 at the end of business day. The requested information shall include everything that was used in the Company's investigation of this matter. The information shall include but not limited to the following:

1. All written documentation inclusive of emails, complaints, reports, text messages etc.
2. Names of all individuals that were interviewed or took part in the company investigation
3. Names of all members who were assigned to the companies investigation committee
4. Names of the presiding officer(s) over the investigation committee

5. All audio to include any video, audio of the company meeting, audio of the company investigation etc.
6. Any photographs etc. that were used as part of this investigation

Failure to comply will subject individual members of Fire Company No. 2 to appropriate discipline by the Board of Commissioners.

Regards, Brian

Matthew Donohue

From: jcirz@trfire.org
Sent: Monday, September 6, 2021 9:17 AM
To: Brian Kubiel
Cc: Monica Bisceglie; Everett Seaman; Bryant Curry
Subject: Re: July 20 2021

Good Morning Chief,

Today I am in receipt of your certified letter dated August 24, 2021 requesting all evidence regarding Mr. Ken Piscopo. My response on July 21, 2021 explains what information I have or recall to the best of my knowledge.

As for information such as Toms River Fire Co 2 investigation committee, you will have to obtain that from President Curry, because I do not have access to corporate investigations, files, evidence, or investigation committee attendees sine that is handled corporately not on the firematic side.

Regards,
Jeff Cirz

Toms River Fire Chief 2600
Jeff Cirz

On Jul 21, 2021, at 9:16 AM, jcirz@trfire.org wrote:

Good Morning Chief,

I do not have emails regarding complaints about Tim Cook from Ken Piscopo; this is the first email or written complaint from Ken.

As for the video that Ken references in his complaint. That was from a car fire at Sea Court, and I believe it was July or August of 2017. It was my dash cam video that did not have audio and only showed Ken Piscopo handing a nozzle to Brandon Halpin. If needed, the crew consisted of Ken Piscopo, Ed Storino, Brandon Halpin, and Tim Cook. Unfortunately I can't locate that video, but I did send it to Ken back then so it should be in his TR fire email database.

As for Ken's complaint about the corporate drill I did address that with Ken immediately the next day and I asked Ken to put the complaint in writing with who witnessed Tim making comments. Ken proceeded to tell me that a member over heard Tim making comments but that member didn't want to get involved. I advised Ken that I need more information with specifics in his own words in order for me to address his concerns; I can't go on second and third hand information. At that point, Ken told me to just forget about it and didn't want to escalate the matter. (That was his choice not mine)

As for Tim Cook's complaint which I sent to you this morning I called Tim to confirm if Ken actually threatened him. Tim said Ken called his cell around 9 pm on 7/20/21 and verbally threatened him with bodily harm and was yelling so loud another member in the room could hear him yelling. Tim stated there was a witness in the same room during the phone call and can attest to the verbal discussion between Ken and Tim.

In closing, Tim Cook filed charges today 7/21/21 against Ken Piscopo for his verbal threats of bodily harm to a member which goes against Toms River Fire company 2 bylaws. As soon as the investigating

committee meets I will advise what there recommendation to the membership will be and what the membership decides to do.

Thank you,

Toms River Fire Chief 2600
Jeff Cirz

On Jul 21, 2021, at 7:43 AM, Brian Kubiel <bkubiel@trfire.org> wrote:

As referenced in his concern, please provide all video and any other information relevant to this issue by the close of business on Friday, July 23rd. Brian

From: kpiscoxx@xxxxxx.xxx<kpiscopo@trfire.org>
Sent: Tuesday, July 20, 2021 11:02 PM
To: Brian Kubiel <bkubiel@trfire.org>
Cc: Monica Bisceglie <mbisceglie@trfire.org>; Monica Bisceglie <monicabiscexxxx@xxxxxx.xtg>; Bryant Curry <xxxxxx@xxxxxx.xxx>; Jeffery Cirz <xxxxxx@xxxxxx.xxx>
Subject: July 20 2021

July 20, 2021

Dear Mr. Kubiel,

I am writing this because I feel I have no other options. This letter is to serve as notification that I am continuously being harassed by another member and officer of Toms River Fire Company No 2. Since Officer Tim Cook has joined Toms River Fire Company No 2, I have been a target of his. Due to his harassment, I have limited my time around the fire house because I do not feel safe and have tried to avoid confrontations with him.

Last Tuesday, I was asked by Bryant Curry since I am a Trustee to run the drill, as it was corporate night. Officer Tim Cook was disrespectful and mocked me when I left the room to other members of the firehouse including junior and probationary members. He disrespects me as a corporate officer as well as a member of the fire department. I reported the incident but again nothing was done.

I chose not to attend the drill tonight to avoid any further incidents with Officer Tim Cook. At about 8:15pm tonight, Officer Tim Cook came screeching down my street in 2631 with the Jake brake on. I received numerous complaints from my neighbors thinking that I had something to do with it. He even woke up a baby in one house. There is no reason to go down any residential street in Toms River including mine with the Jake brake on. Out of all the streets in Toms River, Officer Cook chooses mine to do this disrespectful and obnoxious act.

By the actions of Officer Tim Cook, he is putting the members of the fire company in danger. If you do not have the trust of the members than how can you feel safe entering a burning building with them. I have addressed my concerns since the first time he tried to lie that I disobeyed orders. Chief Jeff Cirz had it on video to prove otherwise but there was no consequence.

If needed I can give further details of different situations including multiple times that he has called me a guinea due to my Italian heritage in front of other members. I have reported this harassment and other incidents to multiple officers both corporate and firematic, but the harassment continues, and nothing ever gets resolved.

I have video with sound of the incident tonight if you need it. If you need any further information, feel free to contact me.

Sincerely,

Kenny Piscopo

Firefighter, Toms River Fire Co No 2

Matthew Donohue

From: Brian Kubiel
Sent: Thursday, September 9, 2021 9:25 AM
To: jcirz@trfire.org
Subject: RE: Fit Test Reports

See below! The names I gave you are from the roll call sheet that Assistant Chief O'Neill sent me. Brian

From: jcirz@xxxxxx.xxx
Sent: Thursday, September 9, 2021 9:03 AM
To: Brian Kubiel
Cc: Fire26Officers
Subject: Re: Fit Test Reports

Good Morning,
I will handle all others on the list except for the names listed directly below for the reasons next to there name.

- Mathes is fire police OK
- Nolan out on sick leave (I emailed you this last month) OK
- Regan was voted out months ago OK
- Piscopo was voted out not sure how you would like to handle. He filed an appeal and has not been removed from the Districts rolls. It can wait pending the appeal determination.

Toms River Fire Chief 2600
Jeff Cirz

On Sep 9, 2021, at 8:51 AM, Brian Kubiel <bkubiel@trfire.org> wrote:

Good morning, Chiefs. I have cross referenced the fit test reports to the roll call sheet. The following members have not had their testing complete:

Beckett
Francis
Hamilton
Mathes
Mitchell
Nesteriak
Nolan
O'Neill
Piscopo
Recanzone
Regan
Seitz
Sipe
Weinberger

If any of the above have been tested, please get the report from the Fire Training Center and have them submitted to our office. If they have not been tested, please have them tested by the deadline. Thank you. Brian

Brian S. Kubiel, MBA, CPM, QPA
Chief Administrator
Toms River Board of Fire
Commissioners District No. 1
1144 Hooper Avenue, Suite 306
Toms River, NJ 08753
Voice (732) 341-4441
Fax (732) 505-2150
E-mail: bkubixx@xxxxxx.xxx
Web Address: www.trfire.org

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Matthew Donohue

From: jcirz@trfire.org
Sent: Thursday, September 9, 2021 9:29 AM
To: Brian Kubiel
Subject: Re: Fit Test Reports

Gotcha. I'm working on the hose order now. I think we only had two lengths of 5" that failed.

Toms River Fire Chief 2600
Jeff Cirz

On Sep 9, 2021, at 9:25 AM, Brian Kubiel <bkubiel@trfire.org> wrote:

See below! The names I gave you are from the roll call sheet that Assistant Chief O'Neill sent me. Brian

From: jcirz@xxxxxx.xxx<jcirz@trfire.org>
Sent: Thursday, September 9, 2021 9:03 AM
To: Brian Kubiel <bkubiel@trfire.org>
Cc: Fire26Officers <fire26xxxxxxx@xxxxxx.xxx>
Subject: Re: Fit Test Reports

Good Morning,
I will handle all others on the list except for the names listed directly below for the reasons next to there name.

- Mathes is fire police **OK**
- Nolan out on sick leave (I emailed you this last month) **OK**
- Regan was voted out months ago **OK**
- Piscopo was voted out not sure how you would like to handle. **He filed an appeal and has not been removed from the Districts rolls. It can wait pending the appeal determination.**

Toms River Fire Chief 2600
Jeff Cirz

On Sep 9, 2021, at 8:51 AM, Brian Kubiel <bkubiel@trfire.org> wrote:

Good morning, Chiefs. I have cross referenced the fit test reports to the roll call sheet. The following members have not had their testing complete:

Beckett
Francis
Hamilton
Mathes
Mitchell

Nesteriak
Nolan
O'Neill
Piscopo
Recanzone
Regan
Seitz
Sipe
Weinberger

If any of the above have been tested, please get the report from the Fire Training Center and have them submitted to our office. If they have not been tested, please have them tested by the deadline. Thank you. Brian

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Matthew Donohue

From: xxxxxx@xxxxxx.xxx
Sent: Friday, September 10, 2021 3:56 PM
To: Brian Kubiell
Cc: Jeffery Cirz
Subject: Re: Piscopo

Good afternoon Brian

As I mentioned in my email on 8/30/21 the company was looking into legal counsel for this issue. Please be advised the company has retained attorney Gordon Golum with the law firm of Wilentz Law. He will be in responds to your emails and demands after there review.

Please forward or provide a link where we can obtain a copy of the commissioner's Bylaws.

Thank you
Bryant Curry
President
Toms River Fire Co #2

On Sep 2, 2021, at 6:56 PM, Brian Kubiell wrote:

Good evening, Bryant

The feelings of Toms River Fire Company No. 2 have no bearing on the legal obligations of the Company to comply with Toms River Fire District No. 1 demand for documentation and other evidence necessary for the District to conduct a proper appeal as to Kenneth Piscopo's removal by Company No. 2.

The Fire Company exists as a component of the Fire District and the municipality. I direct your attention to Chapters 109 and 114 of the Toms River Township Code, as well as N.J.S.A. 40A:14-70.1. The Fire Company is a government actor, under the auspices of the Fire District No. 1 and Toms River Township. The fact that you rely on your By-Laws as a means of defying the District is of no import. As you have been previously advised, your bylaws may not conflict with the Board's By-Laws. Article II, FIRE COMPANIES, Section 2, states that "[n]o Fire Company's Constitution or By-Laws shall conflict with the Rule and Regulations set forth by the Board of Fire Commissioners."

Mr. Piscopo has retained a lawyer and asserted his right to appeal under the District By-Laws, Article II, FIRE COMPANIES, Section 3(E), which states:

(E) If a Fire Company expels or suspends any of its firematic members, such expulsion or suspension should be reported to the Board of Fire Commissioners at their next Regular Meeting.

The expelled or suspended member has the right of appeal to the Board of Fire Commissioners to be exercised within thirty days after receipt of notification by the Company of the final disposition of the matter. The decision of the Board of Fire Commissioners shall be final and conclusive.

Fire Company No. 2 is placing Fire District No. 1 in a position to which it is exposed to significant liability for potential claims of denial of due process and federal §1983 claims, the latter of which may expose the District to payment of attorneys fees. We must notify the OCJIF of these potential claims, and the Fire Company No. 2's cooperation is paramount to receiving proper coverage and defense. Your obstruction may place the District in a position without insurance coverage which will result in possible individual liability and exorbitant legal settlement and costs which will need to be paid directly by the taxpayers. You and Fire Company No. 2 will need to answer to the public for that result.

Provide the following to me on behalf of the District by September 10, 2021 at the end of business day. The requested information shall include everything that was used in the Company's investigation of this matter. The information shall include but not limited to the following:

1. All written documentation inclusive of emails, complaints, reports, text messages etc.
2. Names of all individuals that were interviewed or took part in the company investigation
3. Names of all members who were assigned to the companies investigation committee
4. Names of the presiding officer(s) over the investigation committee
5. All audio to include any video, audio of the company meeting, audio of the company investigation etc.
6. Any photographs etc. that were used as part of this investigation

Failure to comply will subject individual members of Fire Company No. 2 to appropriate discipline by the Board of Commissioners.

Regards, Brian

Matthew Donohue

From: xxxxx@xxxxxx.xxx
Sent: Tuesday, September 14, 2021 8:16 AM
To: Dave Rice
Subject: Fwd: Fit Test Reports

Dave Rice 2620
Captain
Toms River Fire Co#2
45 West Water St
Toms River, NJ 08753
732-504-4859 (cell)

Begin forwarded message:

From: jcirx@xxxxxx.xxx
Date: September 9, 2021 at 09:02:42 EDT
To: Brian Kubiel <bkubiel@trfire.org>
Cc: Fire26 <xxxxxxxxxxxxxxxx@xxxxxx.xxx>
Subject: Re: Fit Test Reports

Good Morning,
I will handle all others on the list except for the names listed directly below for the reasons next to there name.

- Mathes is fire police
- Nolan out on sick leave (I emailed you this last month)
- Regan was voted out months ago
- Piscopo was voted out not sure how you would like to handle

Toms River Fire Chief 2600
Jeff Cirz

On Sep 9, 2021, at 8:51 AM, Brian Kubiel <bkubiel@trfire.org> wrote:

Good morning, Chiefs. I have cross referenced the fit test reports to the roll call sheet. The following members have not had their testing complete:

Beckett
Francis
Hamilton
Mathes
Mitchell
Nesteriak

Nolan
O'Neill
Piscopo
Recanzone
Regan
Seitz
Sipe
Weinberger

If any of the above have been tested, please get the report from the Fire Training Center and have them submitted to our office. If they have not been tested, please have them tested by the deadline. Thank you. Brian

Brian S. Kubiel, MBA, CPM, QPA
Chief Administrator
Toms River Board of Fire
Commissioners District No. 1
1144 Hooper Avenue, Suite 306
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Matthew Donohue

From: Melanie Appleby <xxxxxxx@xxxxx.xxx>
Sent: Wednesday, September 15, 2021 8:40 PM
To: tarverlaw@comcast.net
Cc: Brian Kubiel
Subject: Piscopo
Attachments: Outlook-2g0bqznb.png; TRFD Tarver letter Piscopo 091521 msa.pdf

Please see attached correspondence.

Melanie Szuba Appleby, Esq.

r|m|s|h|c

Rothstein, Mandell, Strohm,
Halm & Cipriani, P.A.
ATTORNEYS AT LAW

98 E. Water Street
Toms River, New Jersey 08753
P: 732.363.0777
F: 732.905.6555
E-mail: mappleby@rmshc.law

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Matthew Donohue

From: Brian Kubiel
Sent: Wednesday, September 22, 2021 9:09 AM
To: Bryant Curry
Subject: Ken Piscopo

Good morning, Bryant. On September 10, 2021, after several demands for the records used by the Fire Company No. 2 to support the termination of Kenneth Piscopo, you wrote: "As I mentioned in my email on 8/30/21 the company was looking into legal counsel for this issue. Please be advised the company **has retained attorney Gordon Golum** with the law firm of Wilentz Law. He will be in response to your emails and demands after their review". Our counsel, immediately after the Wednesday regular District No. 1 meeting, wrote to Mr. Golum to confirm that he was retained by Fire Company No. 2 and asked to discuss this matter with him. After being advised by his secretary via email the next day that he was "out of the office", our attorney and Mr. Golum finally spoke yesterday. Mr. Golum could not discuss the matter with our attorney as he stated that he was "not yet retained."

Clearly, when you wrote that you had retained an attorney back on September 10th, this was untrue. Mr. Golum was not retained by you then, and has still not been retained. This was another delay tactic to avoid your obligation to cooperate with this appeal under the District's Bylaws. This matter has gone on entirely too long. Mr. Piscopo has exercised his rights as clearly stated in the commissioners by-laws. Furthermore, he has hired Robert Tarver, Esq. to provide legal representation on all matters concerning his termination. All video, audio, written documents etc. shall be forwarded to the commissioner's office by the close of business on Friday, September 24, 2021. No further delay tactics will be tolerated. Regards. Brian

Brian S. Kubiel, MBA, CPM, QPA
Chief Administrator
Toms River Board of Fire
Commissioners District No. 1
1144 Hooper Avenue, Suite 306
Toms River, NJ 08753
Voice (732) 341-4441
Fax (732) 505-2150
E-mail: bkubixx@xxxxxx.xxx
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Matthew Donohue

From: Brian Kubiak <xxxxxxx@xxxxxx.xxx>
Sent: Thursday, September 23, 2021 12:13 PM
To: Jeffery Cirz; Brian Oneill

Good afternoon, Chiefs. I have cross referenced the fit test reports to the roll call sheet. The following members have not had their testing complete:

Hamilton
Nolan
O'Neill
Piscopo
Recanzone
Regan

If any of the above have been tested, please get the report from the Fire Training Center and have them submitted to our office. If they have not been tested, please have them tested by the deadline. Thank you. Brian

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Matthew Donohue

From: jcirz@trfire.org
Sent: Thursday, September 23, 2021 12:40 PM
To: Brian Kubiel
Cc: Brian Oneill
Subject: Re:

Ok.

Nolan - sick leave
Oneill- is done will resend report
Hamilton- will be oos if not done tomorrow
Recanzone- will be oos if not done tomorrow
Regan- not a member anymore
Piscopo- up to the board

Toms River Fire Chief 2600
Jeff Cirz

On Sep 23, 2021, at 12:12 PM, Brian Kubiel <bkubiel@trfire.org> wrote:

Good afternoon, Chiefs. I have cross referenced the fit test reports to the roll call sheet. The following members have not had their testing complete:

Hamilton
Nolan
O'Neill
Piscopo
Recanzone
Regan

If any of the above have been tested, please get the report from the Fire Training Center and have them submitted to our office. If they have not been tested, please have them tested by the deadline. Thank you. Brian

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Matthew Donohue

From: jcirz@trfire.org
Sent: Monday, September 27, 2021 8:38 AM
To: Brian Kubiel
Cc: Brian Oneill
Subject: Re:

Good Morning,
On Friday Michael Cocco sent an final to the board and me showing Oneill, Reccazone, and Abby finished the test.

The following FFs below have not completed there annual FIT testing. Please advise on how you would like me to proceed with there status.

Nolan (sick leave per Nolan's request)
Hamilton
Piscopo
Regan - voted out months ago and Monica is adding his removal to the next board meeting agenda.

Toms River Fire Chief 2600
Jeff Cirz

On Sep 23, 2021, at 12:12 PM, Brian Kubiel <bkubiel@trfire.org> wrote:

Good afternoon, Chiefs. I have cross referenced the fit test reports to the roll call sheet. The following members have not had their testing complete:

Hamilton
Nolan
O'Neill
Piscopo
Recanzone
Regan

If any of the above have been tested, please get the report from the Fire Training Center and have them submitted to our office. If they have not been tested, please have them tested by the deadline. Thank you. Brian

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Matthew Donohue

From: Brian Kubiel
Sent: Monday, September 27, 2021 9:03 AM
To: jcirz@trfire.org
Subject: RE:

Got it. Brian

From: jcirx@xxxxxx.xxx
Sent: Monday, September 27, 2021 8:38 AM
To: Brian Kubiel
Cc: Brian Oneill
Subject: Re:

Good Morning,
On Friday Michael Cocco sent an final to the board and me showing Oneill, Reccazone, and Abby finished the test.

The following FFs below have not completed there annual FIT testing. Please advise on how you would like me to proceed with there status.

Nolan (sick leave per Nolan's request)
Hamilton
Piscopo
Regan - voted out months ago and Monica is adding his removal to the next board meeting agenda.

Toms River Fire Chief 2600
Jeff Cirz

On Sep 23, 2021, at 12:12 PM, Brian Kubiel <xxxxxxx@xxxxxx.xx> wrote:

Good afternoon, Chiefs. I have cross referenced the fit test reports to the roll call sheet. The following members have not had their testing complete:

Hamilton
Nolan
O'Neill
Piscopo
Recanzone
Regan

If any of the above have been tested, please get the report from the Fire Training Center and have them submitted to our office. If they have not been tested, please have them tested by the deadline. Thank you. Brian

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Chief Administrator

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Matthew Donohue

From: jcirz@trfire.org
Sent: Monday, October 4, 2021 3:30 PM
To: Brian Kubiel
Subject: Copy of Call sheet 2021.pdf
Attachments: Copy of Call sheet 2021.pdf

Current roster

Toms River Fire Chief 2600
Jeff Cirz

Matthew Donohue

From: Matthew Donohue <mdonohue@rmshc.law>
Sent: Monday, November 1, 2021 3:54 PM
To: tarverlaw@comcast.net
Cc: bkubiel@trfire.org; ggolum@wilentz.com; Melanie Appleby
Subject: re: Toms River Fire District No. 1 -- Notice of Appeal Hearing for K. Piscopo
Attachments: Toms River Fire Company -- Notice of Appeal Hearing.pdf

Good afternoon, Mr. Tarver:

My name is Matthew Donohue, and I am a colleague of Melanie Appleby. On behalf of the Toms River Fire District No. 1, attached please find a notice of hearing in regards to the removal of Mr. Piscopo. We shall submit follow-up correspondence next week once the location of the hearing is finalized. Should you have any questions or concerns, please do not hesitate to contact me.

Regards,

Matthew J. Donohue

Matthew Donohue

From: Brian Kubiel
Sent: Friday, November 12, 2021 11:48 AM
To: Monica Bisceglie

What is Piscopo's Address?

Brian S. Kubiel, MBA, CPM, QPA
Chief Administrator
Toms River Board of Fire
Commissioners District No. 1
1144 Hooper Avenue, Suite 306
Toms River, NJ 08753
Voice (732) 341-4441
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Matthew Donohue

From: Monica Bisceglie <monicabisceglie@trfire.org>
Sent: Friday, November 12, 2021 12:06 PM
To: Brian Kubiel
Subject: RE:

1117 Maimone street
Toms River

Monica Bisceglie
Human Resource Coordinator
Toms River Fire District No. 1
Phone 732-341-4441
Fax 732-505-2150
xxxxxxxxxxxxxx@xxxxxx.xxx

Communication is the Key to a Productive Fire Service

From: Brian Kubiel
Sent: Friday, November 12, 2021 11:48 AM
To: Monica Bisceglie <monicabisceglie@trfire.org>
Subject:

What is Piscopo's Address?

Brian S. Kubiel, MBA, CPM, QPA
Chief Administrator
Toms River Board of Fire
Commissioners District No. 1
1144 Hooper Avenue, Suite 306
Toms River, NJ 08753
Voice (732) 341-4441
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Matthew Donohue

From: Matthew Donohue <mdonohue@rmshc.law>
Sent: Tuesday, November 23, 2021 9:40 AM
To: tarverlaw@comcast.net
Cc: Brian Kubiel; ggolum@wilentz.com; Melanie Appleby
Subject: re: TR Fire and K. Piscopo Appeal -- Confirmation of Hearing
Attachments: TR Fire -- Ltr. Confirming Date and Location of Piscopo Appeal.pdf; Tim Cook Ltr..pdf; Map.pdf

Good morning, Mr. Tarver:

Attached please find the Toms River Board of Commissioners, Fire District No. 1's letter confirming the date, time, and location of the Piscopo hearing, in addition to the documentation we shall be relying on at the hearing. I shall be calling your office later today to confirm receipt of the letter and documents. Should you have any questions or concerns, please do not hesitate to contact me.

Best,

Matthew J. Donohue

Matthew Donohue

From: khamilton <khamilton@trfire.org>
Sent: Sunday, November 28, 2021 12:18 AM
To: xxxxxx@xxxxxx.xxx; xxxxxxxxxxxx@xxxxxx.xxx
Subject: Troop 52 Charter 2022

President Bryant Curry,

As per our conversation on Tuesday night, I contacted the Scout Master and other Leaders that you requested to meet with them next Wednesday at the Firehouse at 1830hrs to discuss the future of the Troop.

Be advised, that the Scout Master and myself are unable to meet with you on Wednesday due to work commitments.

I informed the Scout Master and Troop Leaders that you stated the Fire Company Membership does not want the Piscopos involved with the Troop.

That being said, The Troop Leadership feels that the Piscopos are essential to the Troop and that the Troop would could not exist without them. The Leaders would hope that the Fire Company Membership would look beyond the current situation.

The Troop Charter and Adult Application needs to be signed and submitted prior to December 1st 2021

The Troop needs to know if the Membership is going to sign the Charter or not so that we can move forward with Scouting Program.

Respectively,

Ken Hamilton
Troop 52

Sent from Samsung Galaxy smartphone.

Matthew Donohue

From: khamilton <khamilton@trfire.org>
Sent: Monday, November 29, 2021 9:28 PM
To: xxxxxx@xxxxxx.xxx; xxxxxxxxxxxx@xxxxxx.xxx
Subject: RE: Troop 52 Charter 2022

Hello Bryant,

Reminder, we need to get the Charter and Adult Application sign so we can turn in the completed forms before December 1st.

Please call or message me so we can meet.

Thank you, Ken Hamilton

Sent from Samsung Galaxy smartphone.

----- Original message -----

From: khamilton <khamiltxx@xxxxxx.xxx>
Date: 11/28/21 12:17 AM (GMT-05:00)
To: xxxxxx@xxxxxx.xxx; cweinberger@trfire.org
Subject: Troop 52 Charter 2022

President Bryant Curry,

As per our conversation on Tuesday night, I contacted the Scout Master and other Leaders that you requested to meet with them next Wednesday at the Firehouse at 1830hrs to discuss the future of the Troop.

Be advised, that the Scout Master and myself are unable to meet with you on Wednesday due to work commitments.

I informed the Scout Master and Troop Leaders that you stated the Fire Company Membership does not want the Piscopos involved with the Troop.

That being said, The Troop Leadership feels that the Piscopos are essential to the Troop and that the Troop would could not exist without them. The Leaders would hope that the Fire Company Membership would look beyond the current situation.

The Troop Charter and Adult Application needs to be signed and submitted prior to December 1st 2021

The Troop needs to know if the Membership is going to sign the Charter or not so that we can move forward with Scouting Program.

Respectively,

Ken Hamilton
Troop 52

Sent from Samsung Galaxy smartphone.

Matthew Donohue

From: xxxxxx@xxxxxx.xxx
Sent: Tuesday, November 30, 2021 6:27 PM
To: khamilton
Cc: xxxxxxxxxxxx@xxxxxx.xxx
Subject: Re: Troop 52 Charter 2022

Good evening Ken

I just like to clarify that it did not say the company did not want Piscopo involved with a boy scouts. I simply said at the current time we do not want him on the property.

As I also mentioned I would like to meet with the new scoutmaster before signing anything along with bring it the company.

Please advise when he can meet or provide me with his contact info.

Thank you
Bryant Curry
President
Toms River Fire Co#2

On Nov 29, 2021, at 9:28 PM, khamilton <khamilton@trfire.org> wrote:

Hello Bryant,

Reminder, we need to get the Charter and Adult Application sign so we can turn in the completed forms before December 1st.

Please call or message me so we can meet.

Thank you, Ken Hamilton

Sent from Samsung Galaxy smartphone.

----- Original message -----

From: khamilton <khamiltxx@xxxxxx.xxx>
Date: 11/28/21 12:17 AM (GMT-05:00)
To: xxxxxx@xxxxxx.xxx;cweinberger@trfire.org
Subject: Troop 52 Charter 2022

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The Troop Charter and Adult Application needs to be signed and submitted prior to December 1st 2021

The Troop needs to know if the Membership is going to sign the Charter or not so that we can move forward with Scouting Program.

Respectively,

Ken Hamilton
Troop 52

Sent from Samsung Galaxy smartphone.

Matthew Donohue

From: khamilton <khamilton@trfire.org>
Sent: Tuesday, November 30, 2021 8:20 PM
To: xxxxxx@xxxxxx.xxx
Cc: xxxxxxxxxxxx@xxxxxx.xxx
Subject: Re: Troop 52 Charter 2022

Hello Bryant,

Why exactly do you need to meet with the Scout Master before signing the Troop Charter and my Adult Leader Application for COR?

Tom Lovallo is the current Scout Master and will remain the Scout Master next year. You didn't require meeting with him prior to signing the Troop Charter last November. In fact, in my 40 years as a Leader in the Troop most of which I served as the COR, I don't recall any of the Fire Company Presidents requesting to meet with any of the Leadership prior to signing the Charter.

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If there is another reason why you are not willing to sign the Troop Charter please let me know so we can answer any questions you may have.

The Charter and my Application is due to the Boy Scout Council tomorrow.

If you are unwilling to sign the Charter and I don't hear from you by noon tomorrow then the Troop will have no resort but to look for another Organization to continue running the Scout Program.

Please call (732-278-3014) or message me when I can meet with you to sign the forms.

Thanks, Ken Hamilton

Sent from Samsung Galaxy smartphone.

----- Original message -----

From: bcurry@trfire.org
Date: 11/30/21 6:27 PM (GMT-05:00)
To: khamilton <khamilton@trfire.org>
Cc: cweinbergxx@xxxxxx.xxg
Subject: Re: Troop 52 Charter 2022

Good evening Ken

I just like to clarify that it did not say the company did not want Piscopo involved with a boy scouts. I simply said at the current time we do not want him on the property.

As I also mentioned I would like to meet with the new scoutmaster before signing anything along with bring it the company.

Please advise when he can meet or provide me with his contact info.

Thank you
Bryant Curry
President
Toms River Fire Co#2

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Hello Bryant,

Reminder, we need to get the Charter and Adult Application sign so we can turn in the completed forms before December 1st.

Please call or message me so we can meet.

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To: xxxxxx@xxxxxx.xxx;cweinberger@trfire.org

Subject: Troop 52 Charter 2022

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Be advised, that the Scout Master and myself are unable to meet with you on Wednesday due to work commitments.

I informed the Scout Master and Troop Leaders that you stated the Fire Company Membership does not want the Piscopos involved with the Troop.

That being said, The Troop Leadership feels that the Piscopos are essential to the Troop and that the Troop would could not exist without them. The Leaders would hope that the Fire Company Membership would look beyond the current situation.

The Troop Charter and Adult Application needs to be signed and submitted prior to December 1st 2021

The Troop needs to know if the Membership is going to sign the Charter or not so that we can move forward with Scouting Program.

Respectively,

Ken Hamilton
Troop 52

Sent from Samsung Galaxy smartphone.

Matthew Donohue

From: xxxxxxxxxxxx@xxxxx.xxx
Sent: Wednesday, December 1, 2021 3:52 PM
To: dmorris
Subject: Re: clothing allowance check

Yes the address is right thank you

Sent from my iPhone

On Dec 1, 2021, at 3:49 PM, dmorris <xxxxxxx@xxxxxx.xxx> wrote:

Sure. Just confirm address is 1117 Maimone Street 08753.

From: kennypiscopo@gmail.com <kennypiscopo@gmail.com>
Sent: Wednesday, December 1, 2021 3:45 PM
To: dmorris <xxxxxxx@xxxxxx.xxx>
Subject: Re: clothing allowance check

If you don't mind can you please put it in the mail for me

Sent from my iPhone

On Dec 1, 2021, at 12:09 PM, dmorris <xxxxxxx@xxxxxx.xx> wrote:

I sent this email to your fire email but thought I should send it to your personal as well. Please read below.

From: dmorris
Sent: Wednesday, December 1, 2021 8:57 AM
To: Kenneth Piscopo <kpisxxxx@xxxxxx.xx>
Subject: clothing allowance check

Ken,
I have your clothing allowance check at the board office. Would you like to pick it up here, have me mail it or have Brian bring it to the hearing next week? Dawn

Dawn Halliwell
Toms River Fire District #1
732-341-4441
732-505-2150 fax

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Matthew Donohue

From: xxxxxx@xxxxxx.xxx
Sent: Thursday, December 2, 2021 10:51 PM
To: khamilton
Cc: xxxxxxxxxxxx@xxxxxx.xxx
Subject: Re: Troop 52 Charter 2022

Hello Ken

As the president and the company is the charter organization I want to meet with the scout master. In the past I've spoken to Ken P. because he was the scout master. I feel I have the right and responsibility to do this.

The renewal of the charter also needs to be addressed to the membership and voted on. I like to stay transparent with the membership, I understand there's a deadline but this is the first I'm hearing from them in over 6 months.

As for the COR I'm not sure who we should appoint. I feel this position needs to be with someone who is around often. I've looked into this position and appears we could appoint anyone from the company. Unfortunately you have commitments that have you away from the area for extended periods of time so I'm not sure if this should be you.

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Sent from Samsung Galaxy smartphone.

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The Troop needs to know if the Membership is going to sign the Charter or not so that we can move forward with Scouting Program.

Respectively,

Ken Hamilton
Troop 52

Sent from Samsung Galaxy smartphone.

Matthew Donohue

From: Monica Bisceglie <monicabisceglie@trfire.org>
Sent: Friday, December 3, 2021 3:31 PM
To: District 1 Commissioners
Cc: Melanie Appleby
Subject: cancel of hearing

Good afternoon gentlemen,

The hearing on Tuesday December 7th has to be rescheduled. Mr. Piscopo attorney had an emergency out of town. Melanie will keep you updated!

Monica Bisceglie
Human Resource Coordinator
Toms River Fire District No. 1
Phone 732-341-4441
Fax 732-505-2150
xxxxxxxxxxxxx@xxxxxx.xxx

Communication is the Key to a Productive Fire Service

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Matthew Donohue

From: khamilton <khamilton@trfire.org>
Sent: Sunday, December 5, 2021 4:34 PM
To: xxxxxx@xxxxxx.xxx
Cc: xxxxxxxxxxxx@xxxxxx.xxx
Subject: Re: Troop 52 Charter 2022

Bryant,

I understand and agree with you that the President of the Fire Company should be able to meet with the Scout Master. When you requested to meet with him last week I informed you that both he and I were unable to meet with you that night due to our work commitments. I also informed you the the Scout Master of the Troop for last year, this year and next year is Tom Lovallo. Not sure why this year you decided that you had to meet with Tom to discuss the future of the Troop. You could have contacted him these past two years at anytime.

The reasons for you not hearing from the Troop recently is the National Covid restrictions. When the Toms River Schools closed for safety of the Students the Leadership of the Troop all agreed to stop in person meetings. Our policy has always been, "No School, No Scouts." When the Fire Company decided to remove Ken Piscopo from the Fire Company Membership you turned off his Firehouse key. The Leadership, Parents and Scouts no longer had access to the Firehouse to meet. Recently, the Troop has been meeting at other locations. As you stated last week, the Fire Company Membership does not want Ken Piscopo on the property.

Not sure how you determined that I would not be the right choice for the Troop COR position. May I remind you that the reason I have been away these past months was that my Father past away and I have been working on his estate in South Carolina. Once I was set there, I returned to Toms River only to find my Fire Gear was removed from my stall. No one has contacted me to see how I was doing or even send a letter asking me of my intentions to stay active with the Fire Company or go inactive.

The Scoutmaster Tom Lovallo and myself have been involved with the Troop Leadership for over 30 years.

The Troop was in the process of being folded 6 years ago due to lack of Adult Leaders. Ken Piscopo and Grace Piscopo stepped up and volunteered and took on the Troop Scoutmaster and Committee Chair positions. Since then the Troop Leadership has assisted young Scouts on learning valuable skills and many even achieving the honored Boy Scouts Eagle Award.

For the good of the Troop and the Scouts, the Troop Leadership should remain the same is it is presently.
Respectively, Ken Hamilton

Sent from Samsung Galaxy smartphone.

----- Original message -----

From: bcurry@trfire.org
Date: 12/2/21 10:51 PM (GMT-05:00)
To: khamilton <khamilton@trfire.org>
Cc: cweinbergxx@xxxxxx.xxg
Subject: Re: Troop 52 Charter 2022

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Respectively,

Ken Hamilton

Troop 52

Sent from Samsung Galaxy smartphone.

Matthew Donohue

From: Matthew Donohue <mdonohue@rmshc.law>
Sent: Monday, December 6, 2021 11:28 AM
To: Golum, Gordon; xxxxxxxx@xxxxxxx.xxx
Cc: Brian Kubiel; Melanie Appleby
Subject: re: K. Piscopo Appeal -- Adjournment

Good morning, Mr. Gordon and Mr. Tarver:

The K. Piscopo appeal, originally scheduled for tomorrow, December 7th, has been adjourned due to Mr. Tarver experiencing a family-related emergency. The hearing shall be held in January 2022, but no official date has been set at this time. Once set, I will submit a notice to you both regarding the date, time and location. Should either of you have any questions or concerns, please do not hesitate to contact me.

Regards,

Matthew J. Donohue

Matthew Donohue

From: Brian Kubiel
Sent: Monday, December 20, 2021 12:20 PM
To: Tammy Davicsin
Cc: xxxxxxxx@xxxxx.xxx
Subject: Purchase Orders

Good afternoon, Tammy. We have received an OPRA Request for the following item:

- 1) Emails between Bryant Curry, Jeffrey Cirz, Anthony Cirz, David Rice, Brian O'Neill and any other member of the Board of Fire Commissioners and/or Toms River Fire Company No. 2 regarding Kenneth Piscopo from July 20, 2021 to current

Please conduct an in-depth search of the email system and provide me copies of all emails related to this matter.

Thank you. Brian

Brian S. Kubiel, MBA, CPM, QPA
Chief Administrator
Toms River Board of Fire
Commissioners District No. 1
1144 Hooper Avenue, Suite 306
Toms River, NJ 08753
Voice (732) 341-4441
Fax (732) 505-2150
E-mail: bkubixx@xxxxxx.xxx
Web Address: www.trfire.org

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Matthew Donohue

From: Matthew Donohue <mdonohue@rmshc.law>
Sent: Wednesday, December 22, 2021 12:32 PM
To: Tarver Law Office
Cc: Melanie Appleby; Brian Kubiel
Subject: RE: I/M/O Kenneth Piscopo

Good morning, Mr. Tarver:

We are in receipt of your December 17, 2021 letter, and the OPRA request seeking: “[e]mails between Bryant Curry, Jeffrey Cirz, Anthony Cirz, David Rice, Brian O’Neill and any other member of the Board of Fire Commissioners and/or Toms River Fire Company No. 2 regarding Kenneth Piscopo from July 20, 2021 to current.” The request was received on December 17, 2021, and with the Christmas Holiday, would require a response by December 29, 2021.

As of this time, we will not be prohibiting Company No. 2 from submitting documents. However, that also means we will allow Mr. Piscopo to submit any documents/witnesses as well despite our offices not receiving any documentation or information from your offices by November 30, 2021 per our November 1, 2021 letter. While we understand – and sympathize – that you were undergoing a personal, family-related issue, both Company No. 2 and Mr. Piscopo will be given one additional – but final – opportunity to submit evidence to ensure this hearing is fair to all parties.

The District shall submit correspondence to all parties in early January, setting new deadlines for submission, which we reiterate shall be final. If at that point Company No. 2 fails to submit any documentation, Company No. 2 shall be barred from presenting any documentation or evidence.

Furthermore, I am respectfully requesting a slight extension on the OPRA request to be answered by January 12, 2022, as I have recently contracted COVID-19, and there is an excess of 100 MB of e-mails I will need to review for responsiveness and redactions. At your convenience, please advise if this extension is acceptable.

Have a wonderful holiday, Mr. Tarver.

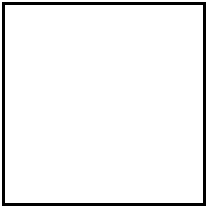
Best,

Matthew

From: Tarver Law Office
Sent: Friday, December 17, 2021 2:53 PM
To: Matthew Donohue
Cc: Melanie Appleby
Subject: I/M/O Kenneth Piscopo

--

Law Offices of Robert L. Tarver, Jr.
Attorneys and Counselors at Law
66 South Main Street
Toms River, New Jersey 08757
Tel: (732) 341-2152 Fax: (732) 341-2153



Circular 230 Disclosure Notice: To ensure compliance with Treasury Department rules governing tax practice, we inform you that any advice contained herein (including in any attachment) (1) was not written and is not intended to be used, and cannot be used, for the purpose of avoiding any federal tax penalty that may be imposed on the taxpayer, and (2) may not be used in connection with promoting, marketing or recommending to another person any transaction or matter addressed herein.

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Matthew Donohue

From: Matthew Donohue <mdonohue@rmshc.law>
Sent: Thursday, January 6, 2022 1:45 PM
To: Tarver Law Office
Cc: Brian Kubiel; Melanie Appleby
Subject: re: Toms River Fire District No. 1 -and- K. Piscopo -- Reschedule of Hearing; Procedures
Attachments: Toms River Fire District No. 1 -- Ltr. to R. Tarver -- Reschedule K. Piscopo Hearing and Procedures.pdf; Investigating Committee July 27, 2021.pdf; Meeting Minutes 8-3-2021.pdf

Good afternoon, Mr. Tarver:

As we previously discussed, attached please find correspondence outlining the new date, time, and location of the K. Piscopo appeal hearing. This correspondence contains set deadlines for both Mr. Piscopo and Company No. 2's submissions, and I must stress that if either/both parties miss these deadlines, no extensions shall be granted under any circumstances. Should you have any questions or concerns, please do not hesitate to contact me.

Regards,

Matthew J. Donohue

Matthew Donohue

From: Brian Kubiel
Sent: Tuesday, January 11, 2022 3:09 PM
To: taxxxxxxxxxxxxx@xxxxx.xxx
Cc: Matthew Donohue
Subject: OPRA Response
Attachments: SKM_C36822011116160.pdf; Toms River Fire Company No. 2 -- Meeting Minutes 8-3-2021.pdf; Toms River Fire Company No. 2 -- Investigating Committee July 27 2021.pdf; K. Piscopo -- Responsive E-mail Attachments.pdf; K. Piscopo -- Responsive E-Mails.pdf

Good afternoon, Mr. Tarver. We are in receipt of your OPRA requests. Please see attached correspondence and attachments. Brian

Brian S. Kubiel, MBA, CPM, QPA
Chief Administrator
Toms River Board of Fire
Commissioners District No. 1
1144 Hooper Avenue, Suite 306
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Voice (732) 341-4441
Fax (732) 505-2150
E-mail: bkubixx@xxxxxx.xxx
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Matthew Donohue

From: Brian Kubiel
Sent: Wednesday, January 12, 2022 11:21 AM
To: taxxxxxxxxxxxxx@xxxxx.xxx
Cc: Matthew Donohue
Subject: Videos
Attachments: Video.mov; Video_1.mov; Video_2.mov

Good morning, Mr. Tarver. Attached are three videos that were provided to me regarding the Ken Piscopo matter. Brian

From: xxxxx@xxxxxx.xxx
Sent: Wednesday, July 21, 2021 12:26 PM
To: xxxxxx@xxxxxx.xxx
Cc: Jeffery Cirz
Subject: Re: Cook Vs Piscopo

Dave Rice 2620
Captain
Toms River Fire Co#2
45 West Water St
Toms River, NJ 08753
732-504-4859 (cell)

On Jul 21, 2021, at 10:37, xxxxxx@xxxxxx.xxx wrote:

Can you please provide any documents/texts, voicemails or recordings in reference to the conversations with Mr. Piscopo the Lt cook. Also if you want to do a brief written statement.

Thank you

Bryant Curry
President
Toms River Fire co #2

Matthew Donohue

From: Brian Kubiel
Sent: Wednesday, January 12, 2022 11:28 AM
To: taxxxxxxxxxxxxx@xxxxx.xxx
Cc: Matthew Donohue
Subject: FW: Piscopo appeal - Recording - August 3rd Company 2 Meeting

Good morning, Mr. Tarver. This is an audio tape of the Toms River Fire Company No. 2 meeting that was held August 2nd, 2021. This is last piece of your OPRA request in the possession of the fire commissioners. Brian

From: Ryan McCann
Sent: Monday, August 30, 2021 5:43 PM
To: Brian Kubiel
Cc: danielrodrick2@gmail.com
Subject: Piscopo appeal - Recording - August 3rd Company 2 Meeting

Ryan McCann has shared a OneDrive file with you. To view it, click the link below.

 [08032021.WAV](#)

Mr. Kubiel,

It is my understanding that you are currently investigating the removal of Ken Piscopo from Company 2. Attached you will find a copy of recording of the meeting made by Ken Hamilton on August 3rd. I thought this might help in your investigation. I have cc'd Councilman Rodrick on this email as well.

Ryan

Matthew Donohue

From: Brian Kubiel
Sent: Thursday, January 20, 2022 9:00 AM
To: Monica Bisceglie

Good morning, Monica. Can you give me the home addresses for the following individuals:

Tim Cook
Kenneth Piscopo
Dave Rice
Jeff Cirz
Bryant Curry
Kenneth Hamilton

Thank you. Brian

Brian S. Kubiel, MBA, CPM, QPA
Chief Administrator
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Matthew Donohue

From: Monica Bisceglie
Sent: Thursday, January 20, 2022 10:08 AM
To: Brian Kubiel
Subject: RE:

From: Brian Kubiel
Sent: Thursday, January 20, 2022 9:00 AM
To: Monica Bisceglie
Subject:

Good morning, Monica. Can you give me the home addresses for the following individuals:

Tim Cook [619 Loxely Drive, Toms River NJ 08753](#)
Kenneth Piscopo [1117 Maimone Street, Toms River NJ 08753](#)
Dave Rice [821 Pacific Ave, Beachwood, NJ 08722](#)
Jeff Cirz [111 Rivercrest Drive, Toms River, NJ 08753](#)
Bryant Curry [1116 Ocean Ave, Beachwood, NJ 08722](#)
Kenneth Hamilton [11 Grant Ave, Toms River, NJ 08753](#)

Thank you. Brian

Brian S. Kubiel, MBA, CPM, QPA
Chief Administrator
Toms River Board of Fire
Commissioners District No. 1
1144 Hooper Avenue, Suite 306
Toms River, NJ 08753
Voice (732) 341-4441
Fax (732) 505-2150
E-mail: bkubixx@xxxxxx.xxx
Web Address: www.trfire.org

Confidentiality Notice

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Matthew Donohue

From: Brian Kubiell
Sent: Friday, January 21, 2022 8:37 AM
To: Ken Hamilton; Bryant Curry; Timothy Cook; 'Jeffery Cirz (jcirz@trfire.org)'; Kenneth Piscopo; David Rice (xxxxx@xxxxxx.xxx)
Cc: Matthew Donohue
Subject: Piscopo Hearing

Good morning:

Your appearance at the K. Piscopo termination appeal on Wednesday, January 26th, at 6:00 PM, has been requested by Mr. Robert Tarver, Esq. – attorney for K. Piscopo. You are **not** obligated to attend. If you do participate, you will be required to provide truthful testimony regarding your knowledge of Mr. Piscopo's termination from Toms River Fire Company No. 2. You have the right to attend with your legal counsel. The hearing shall take place in-person at 1144 Hooper Avenue, 3rd Floor, at the aforementioned date and time.

Please respond to this e-mail and confirm whether or not you will be participating.

Thank you. Brian

Brian S. Kubiell, MBA, CPM, QPA
Chief Administrator
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Matthew Donohue

From: khamilton <khamilton@trfire.org>
Sent: Friday, January 21, 2022 9:27 AM
To: Brian Kubieli; Bryant Curry; Timothy Cook; Jeffery Cirz; Kenneth Piscopo; David Rice
Cc: Matthew Donohue
Subject: RE: Piscopo Hearing

Brian, I will be there.

Thank you,
Ken Hamilton
Life Member
Past President
TRFC2

Sent from Samsung Galaxy smartphone.

----- Original message -----

From: Brian Kubieli
Date: 1/21/22 8:37 AM (GMT-05:00)
To: Ken Hamilton , Bryant Curry , Timothy Cook , Jeffery Cirz , Kenneth Piscopo , David Rice
Cc: Matthew Donohue
Subject: Piscopo Hearing

Good morning:

Your appearance at the K. Piscopo termination appeal on Wednesday, January 26th, at 6:00 PM, has been requested by Mr. Robert Tarver, Esq. – attorney for K. Piscopo. You are **not** obligated to attend. If you do participate, you will be required to provide truthful testimony regarding your knowledge of Mr. Piscopo's termination from Toms River Fire Company No. 2. You have the right to attend with your legal counsel. The hearing shall take place in-person at 1144 Hooper Avenue, 3rd Floor, at the aforementioned date and time.

Please respond to this e-mail and confirm whether or not you will be participating.

Thank you. Brian

Brian S. Kubieli, MBA, CPM, QPA

Chief Administrator

Toms River Board of Fire

Commissioners District No. 1

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Matthew Donohue

From: xxxxxx@xxxxxx.xxx
Sent: Friday, January 21, 2022 10:08 AM
To: Brian Kubiell
Subject: Read: Piscopo Hearing

Read Receipt: Piscopo Hearing

The following message was read on Friday, January 21, 2022 10:07am:

From: bkubxxx@xxxxxx.xxx
To: bcurry@trfire.org
Subject: Piscopo Hearing
Sent: Friday, January 21, 2022 8:37am

Matthew Donohue

From: xxxxx@xxxxxx.xxx
Sent: Friday, January 21, 2022 1:58 PM
To: Brian Kubiell
Cc: Ken Hamilton; Bryant Curry; Timothy Cook; Jeffery Cirz; Kenneth Piscopo; Matthew Donohue
Subject: Re: Piscopo Hearing

All..

I will not be attending due to my full time job work schedule. Anymore correspondence please contact me via email .

Thank you for your time.

Dave Rice 2620
Captain
Toms River Fire Co#2
45 West Water St
Toms River, NJ 08753
732-504-4859 (cell)

On Jan 21, 2022, at 08:37, Brian Kubiell wrote:

Good morning:

Your appearance at the K. Piscopo termination appeal on Wednesday, January 26th, at 6:00 PM, has been requested by Mr. Robert Tarver, Esq. – attorney for K. Piscopo. You are **not** obligated to attend. If you do participate, you will be required to provide truthful testimony regarding your knowledge of Mr. Piscopo's termination from Toms River Fire Company No. 2. You have the right to attend with your legal counsel. The hearing shall take place in-person at 1144 Hooper Avenue, 3rd Floor, at the aforementioned date and time.

Please respond to this e-mail and confirm whether or not you will be participating.

Thank you. Brian

Brian S. Kubiell, MBA, CPM, QPA

Chief Administrator

Toms River Board of Fire

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Matthew Donohue

From: Margaret Powell <mpowell@rmshc.law>
Sent: Wednesday, January 26, 2022 11:13 AM
To: ggolum@wilentz.com
Cc: Brian Kubiel; txxxxxxxxxxxxx@xxxxx.xxx
Subject: Toms River Bd. of Comm'r, Fire District No. 1 and K. Piscopo
Attachments: LTR TO GORDON GOLUM TR BD OF FIRE COMM #1 AND K PISCOPO.pdf

Attached please find correspondence regarding the above-captioned matter.

Margaret M. Powell



**Rothstein, Mandell, Strohm,
Halm & Cipriani, P.A.**

ATTORNEYS AT LAW

98 East Water Street

Toms River, NJ 08753

o: 732.363.0777

f: 732.905.6555

xxxxxxxx@xxxxx.xxx

rmshc.law

Matthew Donohue

From: Matthew Donohue <mdonohue@rmshc.law>
Sent: Tuesday, March 1, 2022 3:07 PM
To: Tarver Law Office
Cc: Golum, Gordon; Brian Kubiel; Melanie Appleby
Subject: re: Toms River Fire District No. 1 -- K. Piscopo Decision and Minutes
Attachments: Toms River Fire District No. 1 -- Piscopo Decision.pdf; Toms River Fire District No. 1 -- Minutes of Jan 26 2022 K Piscopo Hearing.pdf

Good afternoon, Mr. Tarver:

Attached please find the Commissioner's decision regarding Mr. Piscopo's appeal, in addition to the meeting minutes from the hearing. Should you have any questions, please do not hesitate to contact me.

Regards,

Matthew J. Donohue

Matthew Donohue

From: Caring Firefighters <opra+requestxxxxxxxxxxxxxxxx@xxxxxxxx.xxxxxxxxxxxx>
Sent: Tuesday, April 26, 2022 10:28 AM
To: Brian Kubiel
Subject: OPRA request - Ken Piscopo removal from company 2

Dear Toms River FD1,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

Please provide all emails between Brian Kubiel, Ken Piscopo, any attorneys, members and commissioners from July 2021 to today in reference to Ken Piscopo's removal from Toms River Volunteer Fire Co #2

Yours faithfully,

Caring Firefighters

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-31317-xxxxxxx@xxxxxxxx.xxxxxxxxxxxx.xxm

Is bkubiel@trfire.org the wrong address for OPRA requests to Toms River FD1? If so, please contact us using this form:
https://opramachine.com/change_request/new?body=toms_river_fd1

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:
<https://opramachine.com/help/officers>

View this OPRA request & responses online:
https://opramachine.com/request/ken_piscopo_removal_from_company

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.

Matthew Donohue

From: Caring Firefighters <opra+requestxxxxxxxxxxxxxxxx@xxxxxxxx.xxxxxxxxxxxx>
Sent: Tuesday, April 26, 2022 10:31 AM
To: Brian Kubiak
Subject: OPRA request - Ken piscopo hearing minutes

Dear Toms River FD1,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

Please provide all correspondence and minutes from the Ken Piscopo special hearing in reference to his appeal for removal of Toms River Volunteer Fire Co #2.

Yours faithfully,

Caring Firefighters

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-31318-xxxxxxx@xxxxxxxx.xxxxxxxxxxxx.xxm

Is bkubiak@trfire.org the wrong address for OPRA requests to Toms River FD1? If so, please contact us using this form:
https://opramachine.com/change_request/new?body=toms_river_fd1

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:
<https://opramachine.com/help/officers>

View this OPRA request & responses online:
https://opramachine.com/request/ken_piscopo_hearing_minutes

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.
