

**MINUTES**  
**TOMS RIVER FIRE COMMISSIONERS DISTRICT NO. 1**  
**Special Meeting**  
**July 12, 2018**

Commissioner Convery called a special meeting to order at 6:30 p.m. with a Salute to the Flag. A moment of silence was observed. The following statement was made:

Adequate notice of this meeting has been provided in accordance with the Provisions of the Open Public Meetings Act by notice being posted in the Municipal Building, 33 Washington Street, Toms River; being filed with the municipal clerk and being transmitted to the Asbury Park Press and Star Ledger and to all persons who have requested copies in accordance with statute.

**ROLL CALL**

Autenrieth – present      Latshaw – present  
Ambrosio – present      Sipe-absent  
Convery – present

Attorney Vandyke present.  
Bisceglie present to take minutes

Attorney Vandyke stated one of the matters that is before the board tonight involves comments made about Mr. Sipe. It is Vandyke's opinion that Mr. Sipe should not be present to make decisions on this matter. Mr. Sipe has recused himself and sent a letter which states his recusal is based on advice of council but Sipe indicates he will continue to fulfill his obligation as a commissioner.

**Motion Ambrosio second Autenrieth to excuse Jesse Sipe from special meeting.**

**Ayes - 4    Nays -0    CARRIED**

**Motion Ambrosio second Autenrieth to accept Michael Brophy Co.3 as a Seasonal member pending physical.**

**Ayes - 4    Nays -0    CARRIED**

Attorney Vandyke stated three rice notices were mailed to Kevin Nolan, Thomas Mauro and Anthony Cirz. Requests received from Thomas Mauro and Anthony Cirz that they would like their matters discussed in open session which is their right to do. Kevin Nolan did not write such a letter so that matter will be heard in closed session

**PRIVATE EXECUTIVE SESSION- Motion Ambrosio second Autenrieth to go into Private Executive Session @ 6:33 p.m.**

**Ayes - 4    Nays -0    CARRIED**

*Matters Relating to the Employment Relationship and Legal advice :* Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

**Motion Autenrieth second Latshaw to go into open session @ 6:52 p.m.**

**Ayes - 4    Nays -0    CARRIED**

Attorney VanDyke stated both Thomas Mauro and Anthony Cirz requested their matter be heard in open session. He confirmed that this was indeed their intent. Both responded yes.

Matter involving Thomas Mauro

Mr. Mauro was requested to attend the special meeting because of derogatory group text messages made about Commissioner Sipe in regards to 2624 being taken out of service.

Mr. Mauro stated he apologized to Commissioner Sipe and sent out another group text message apologizing for his behavior per Commissioner Sipe's request.

Ambrosio stated majority of the timeline for 2624 have been discussed at board meetings and if the information was not relayed that should not be on the commissioners.

Latshaw asked Mauro if he has an understanding of the chain of command and if so the procedure to follow in the future. He responded yes and apologized.

Matter involving Anthony Cirz:

Anthony Cirz was requested to attend the special meeting for a derogatory email sent to all members of station 26 re: 2624 and the progression of the repairs to the air conditioning.

He stated he is a safety officer for his company and during a recruitment video on a 90-degree day he had members coming up to him asking about the status of the air conditioner that was not working. Anthony Cirz stated he followed the chain of command and sent an email to the Chief asking the status.

Attorney Vandyke stated it is his understanding it was not just sent to Chief Jeff Cirz but sent to the entire company and asked how is that following the proper chain of command.

Ambrosio explained the proper chain of command and the importance. He continued to state that the investigation was completed by Assistant Chief Miller because of the relationship between Firefighter Anthony Cirz and Chief Jeff Cirz.

Lengthy discussion followed.

The commissioners determined the proper chain of command was not followed and stressed the importance of the procedure being followed in the future.

**There being no further business, motion Autenrieth second Ambrosio to close the meeting @ 7:23p.m.**

**Ayes - 4    Nays -0    CARRIED**

Respectfully submitted

*Jesse Sipe, Clerk*

Toms River Fire Commissioners