

**Board of Fire Commissioners**  
**Regular Meeting**  
**Wednesday, October 12, 2022**  
**7:00 pm via Zoom & In Person**  
**Clifford B. Green Meeting Center**  
**Suite 24, 69 South Main Street, Brooklyn, CT**

To join this meeting, follow the below instructions:

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**MINUTES**

1. **Call to Order** – Michael Podzaline, Chairman, called the meeting to order at 7:00 p.m. (19:00 hours).

2. **Attendance:** Michael Podzaline; Austin Tanner, First Selectman; Leo Berube; Patrick Gauthier; R. David Lee, Board of Finance Liaison; (all present in person). James Solar (present via Zoom). Felix Ramos was absent.

**Others Present (in person)** – S. Breen, Mortlake Fire Chief; Brian Pepin, East Brooklyn Fire Chief; L. Brodeur, Selectman.

There were seven people present in the audience.

**Present via Zoom** – Jenn Nemeth; Spiro & Christa Haveles; Kayla Burgess; Denise Graff; Michelle; J.S. Perreault, Recording Secretary.

1. **Approve Minutes**
  - a. **Regular Meeting of July 13, 2022**

Motion was made by L. Berube to accept the Minutes of the Regular Meeting of July 13, 2022.

Second by D. Lee. No discussion.

Motion carried unanimously by voice vote (6-0-0).

2. **Public Comment**

**Michael Snyder**, 28 Blueberry Lane, USCG, commented that he is surprised, shocked and confused like many Brooklyn residents, by the current lawsuit against JMN Properties. He said that nobody understands what the Town of Brooklyn, the Fire District or the East Brooklyn Fire Department

expect to gain from this lawsuit or why it appears that the local government is so vigorously attacking a beloved small business that enthusiastically supports many nonprofits in our community. He said that, at some point, the people of this Town deserve an explanation and full accountability for the taxpayer funds expended during the full course of this lawsuit, including any fees for retainers and anything spent of Planning and Zoning before and during the lawsuit. He wants to know what steps are being taken to minimize the financial impacts of this lawsuit to the taxpayers and when can the residents of Brooklyn expect a full breakdown of costs associated with this lawsuit.

### **3. Equipment Discussion**

#### **Chief Pepin reported:**

- East Brooklyn is up and running with the ESO software program. It has only been a few weeks, but it is working really well. He is hoping that it will be easier to process information for emergency reporting.
- All pump testing has been done for the year and there have been no major repairs.

#### **Chief Breen reported:**

- The new truck is in New Haven. He went there on Monday to bring equipment. It will be another week or two before it gets here. It is expected that it will go into service in early November. Things are moving as expected.

D. Lee asked East Brooklyn about their submission for SCBA's after stating at the July meeting that no big purchases were planned. Chief Pepin stated that he had brought it up, but it was not discussed. Discussion ensued. Mr. Lee stated that requests should come before the Board of Fire Commissioners so they are aware of them. Chief Pepin offered that he can be called if there are ever any questions.

Discussion continued. Chief Pepin explained about the different air packs and that mask or regulator switchovers cannot happen between the different-type packs. They operate the same way, but are built differently.

### **4. Department Discussion**

#### **a. Recruitment**

**Chief Pepin** reported that East Brooklyn has a few additional members, so they are looking pretty good.

**Chief Breen** reported that Mortlake got four applications, one with certification.

#### **b. Retention – No discussion.**

c. **Paid Staff – Subcommittee Update**

**M. Podzalne** explained about the **Proposed Ordinance Town of Brooklyn Tax Abatement Program for Certain Emergency Services Volunteers** (attached) that had been discussed and amended at the Sub-Committee meeting.

Mr. Podzalne reviewed the amendments that had been decided upon, as follows:

- Item (c) **BENEFIT** (1) to read as follows: “Each eligible resident who is providing a service to the town at the level of “interior firefighter or EMT” defined by their respective department’s rules and regulations shall be entitled to a \$2,000.00 reduction in property taxes otherwise due from that resident for the fiscal year next following the certification date.”
- Item (c) **BENEFIT** (2) to read as follows: “Each eligible resident who is providing a service to the town at any level other than “interior firefighter or EMR” defined by their respective department’s rules and regulations shall be entitled to a \$1,000.00 reduction in property taxes otherwise due from that resident for the fiscal year next following the certification date.
- Item (f) **ELIGIBILITY** (1) to read as follows: “To meet the eligibility qualifications, a member of the East Brooklyn Fire Department or Mortlake Fire Company, Inc. must maintain a minimum of twenty percent (20%) participation per month of either all EMS or all fire calls.”

There was discussion and the following amendment was suggested: Item (c) **BENEFIT** (2) EMR be changed to EMT.

Discussion continued. P. Gauthier suggested that the 20 percent be over the year rather than monthly. Chief Breen explained about qualifying for 9 out of the 12 months and suggested the following amendment:

- Item (f) **ELIGIBILITY** (1) to read as follows: “To meet the eligibility qualifications, a member of the East Brooklyn Fire Department or Mortlake Fire Company, Inc. must maintain a minimum of twenty percent (20%) participation **for nine out of twelve months of the preceding fiscal year** for either all EMS or all fire calls.”

Discussion continued. Interior firefighter is defined by both Departments as someone who maintains their Firefighter 1 qualifications. EMT’s are also certified. All other responders (e.g. fire police, exterior firefighter, EMR, general help) would fall under Item (c) **BENEFIT** (2).

There was discussion about Mr. Lee’s concern regarding whether the financial impact to the Town had been determined.

Motion was made by A. Tanner to approve both amendments, per discussion, to the **Proposed Ordinance Town of Brooklyn Tax Abatement Program for Certain Emergency Services Volunteers**. Second by P. Gauthier.

Discussion:

M. Podzalne clarified the language for all of the proposed amendments, as follows:

- Item (c) **BENEFIT** (1) to read as follows: “Each eligible resident who is providing a service to the town at the level of “interior firefighter or EMT” defined by their respective department’s rules and regulations shall be entitled to a \$2,000.00 reduction in property taxes otherwise due from that resident for the fiscal year next following the certification date.”
- Item (c) **BENEFIT** (2) to read as follows: “Each eligible resident who is providing a service to the town at any level other than “interior firefighter or EMT” defined by their respective department’s rules and regulations shall be entitled to a \$1,000.00 reduction in property taxes otherwise due from that resident for the fiscal year next following the certification date.
- Item (f) **ELIGIBILITY** (1) to read as follows: “To meet the eligibility qualifications, a member of the East Brooklyn Fire Department or Mortlake Fire Company, Inc. must maintain a minimum of twenty percent (20%) participation for nine of the twelve months of the preceding fiscal year for either all EMS or all fire calls.”

Motion carried unanimously by voice vote (6-0-0).

Motion was made by L. Berube to forward the **Proposed Ordinance Town of Brooklyn Tax Abatement Program for Certain Emergency Services Volunteers**, as amended, to the Board of Selectmen Second by P. Gauthier.

Discussion:

D. Lee stated that he would like to see a final draft, including the amendments, before it goes before the Board of Selectmen. No objections were voiced to this.

L. Berube rescinded his motion.

M. Podzalne stated that the finalized version, as amended, will be presented at the Board of Fire Commissioners’ November meeting and that East Brooklyn’s information will be available then also.

M. Podzalne explained that there had been discussion regarding Paid Staffing for the Town at the Sub-Committee meeting and a proposal for three daytime staff (Monday through Friday) will be drafted for next month’s Sub-Committee meeting.

## 5. Financial Reports Discussion

**D. Lee reported:**

- The Board of Finance is not asking for quarterly reports as previously had been done, but they are looking for grant recipients to provide a report on how money received from the previous fiscal year’s grant was spent. He asked that each Department provide this by the next meeting. Going forward, he asked that it be provided by October.

## 6. Other Business – None.

## 7. Public Comment

**Mary Palenzick (possibly misspelled)**, not a Brooklyn resident, but is the TLC Yard Care, a Brooklyn-based small business, and she is a letter carrier out of the Brooklyn Post Office, spoke about the following:

- Most of her yard care customers are in Brooklyn, including several on South Main Street.

- She is in favor of the two Fire Departments merging as it has been her experience, in other towns where she has lived, that there is one department with one chief. She said that she is confused about the existence of East Brooklyn. She feels a merge would be better for fundraising, grant writing, volunteers to help with events, and non-profit status.
- She spoke favorably about Mortlake.
- She spoke unfavorably about East Brooklyn, citing driving fast down the driveway (when there is no call), naming P. Gauthier, in particular, whom she feels to be a liability to this Town.
- She spoke about how she finds the current lawsuit (mentioned in the earlier Public Comment section of this meeting) to be terribly disturbing. She said that it is a waste of Town Staff time going back to Mr. Ives and now with Mr. Tanner and it is a horrific waste of taxpayer dollars.
- She is happy to see that the two Fire Departments have been working together in recent months. She said that she feels that a merge would be beneficial to East Brooklyn and they could learn a lot from Mortlake.
- She commented that an internet search this evening brought her to a Town website page that still says that there are three fire houses. She asked if the sign had ever been taken off of that building.  
L. Berube stated that it had been removed last year.

**Kerry Hawes**, 38 King Street, stated that she has lived in Brooklyn her whole life, had the following comments/questions:

- She asked about how the tax abatement program would be funded. She asked for a breakdown for transparency once the numbers are finalized.
- She explained that men scare her and she asked how volunteers are vetted. She said that she would like to see background checks done by a professional agency to maintain the safety of residents. She would like to see transparency regarding who our volunteers are and what the vetting process looks like.  
She stated, for the record, that as a woman, people coming into your home or when you are in an accident, when you are very vulnerable, abuse of power is a problem.
- She referred to Brooklyn Code, Appendix A-21 – Special Acts Ratified in January 1949 regarding that a fire house must be in the district that it serves. She stated that East Brooklyn is not within its own district.
- She said that she also supports a merging of the Fire Departments, not only for that reason, but because joining the resources together will be beneficial to the Town as the Town would be able to do more with less. She feels chain of command would also be better under one.
- Regarding the lawsuit, she asked if the attorney fees were being paid with taxpayer dollars. For the record, she asked if the fees were being paid through the Fire Commissioners' budget or if it is in addition to the budget. She said that, at some point, she would like to hear where that money is coming from. She said that it is potentially being funded by the businesses and the home owner that are being impacted.
- She said that they knew what the address was when the building was purchased years ago and they knew that it was a shared driveway (four business and a home owner) when it was purchased. It concerns her that it was not a concern for all of that time that they did not have exclusive rights to the driveway (which they do not own exclusively). She asked

why all of this money is being spent and what the eventual goal is of the lawsuit. She said this is another reason, of many, that she supports merging the two Departments.

- She commented that her nephew, who works at the Ice Box, has witnessed harassing behavior and that she has witnessed smoke billowing out of garbage dumpsters while eating on the back deck. She has seen cars going in and out of that location really quickly.
- She said that all of the concerns should have been discussed when the building was purchased.

**8. Next Meeting – November 9, 2022.**

**9. Adjourn**

Motion was made by D. Lee to adjourn at 7:44 p.m.

Second by P. Gauthier. No discussion.

Motion carried unanimously by voice vote (6-0-0).

Respectfully submitted,

J.S. Perreault  
Recording Secretary

**Attachment:** Proposed Ordinance Town of Brooklyn Tax Abatement Program for Certain Emergency Services Volunteers

## Proposed Ordinance Town of Brooklyn

### Tax Abatement Program for Certain Emergency Services Volunteers

(a) **PREAMBLE:** The provisions of Public Act 99-272 Section 6, as amended by Public Act 19-36, are hereby adopted, and are set forth in subsections (b), (c), (d), (e), and (f).

(b) **DEFINITIONS:**

(1) "Active" shall mean certified by the Chief of the Mortlake Fire Company, Inc., the Chief of East Brooklyn Fire Department, or their successors, either individually or collectively, as to members of their respective organizations, on or before the certification date, as eligible for tax abatement under this ordinance.

(2) "Certification Date" shall mean March 15 of the assessment year commencing October 1, 2022, and each assessment year thereafter.

(3) "Eligible Resident" shall mean each resident of the Town of Brooklyn who volunteers their services:

- a) As an active firefighter or emergency medical responder for the Mortlake Fire Company, Inc.,
- b) As an active firefighter or emergency medical responder for the East Brooklyn Fire Department.
- c) As an active firefighter or emergency medical responder of their successors, individually or collectively.

(4) "Benefit" shall mean the reduction in property taxes described in subsection (c) below.

(c) **BENEFIT:** (1) Each eligible resident who is providing a service to the town at the level of "interior firefighter" defined by their respective department's rules and regulations shall be entitled to a \$2,000.00 reduction in property taxes otherwise due from that resident for the fiscal year next following the certification date.

(2) Each eligible resident who is providing a service to the town at any level other than "interior firefighter" defined by their respective department's rules and regulations shall be entitled to a \$1,000.00 reduction in property taxes otherwise due from that resident for the fiscal year next following the certification date.

(d) **LIMITATIONS:** The benefit shall be subject to the following limitations:

(1) Residents who are eligible residents under two or more among (b)(3)(A-C) shall be entitled to one benefit only.

(e) **MECHANISM:** The respective Chiefs of the Mortlake Fire Company, Inc., the East Brooklyn Fire Department, or their successors, individually or collectively, shall, on or before the certification date:

1. Submit their original notarized certifications to the Tax Collector for the Town of Brooklyn and forward a copy of their certifications to:
  - a. The Board of Finance,
  - b. The Office of the First Selectman,
  - c. The Office of the Tax Assessor,
  - d. The Boards of Directors of the Mortlake Fire Company, Inc., the East Brooklyn Fire Department,
  - e. The Board of Fire Commissioners.

(f) **ELIGIBILITY:** The Board of Fire Commissioners shall determine the criteria for certification of eligibility for members of the Mortlake Fire Company, Inc, and East Brooklyn Fire Department, or their successors, individually or collectively, which criteria shall not be less stringent than the criteria for attendance at emergency responses, training, and drills for yearly eligibility for the Tax Abatement program.

(1) To meet the eligibility qualifications, a member of the East Brooklyn Fire Department or Mortlake Fire Company, Inc. must maintain a minimum of twenty percent (20%) participation per month of all emergency calls.

(2) Any member of the East Brooklyn Fire Department or Mortlake Fire Company, Inc., who cannot perform their duties and fails to meet the eligibility criteria due to a department-related injury shall have their percentage of attendance adjusted for the time lost.

(3) The Board of Fire Commissioners can create more stringent qualifications for the abatement should they wish to do so in the future.

## **Commentary**

(a) **PREAMBLE:** This subsection connects the ordinance to the enabling legislation, which aims to attract new volunteers and retain existing ones.

(b) **DEFINITIONS:** This subsection defines terms in a way that tracks the enabling legislation.

(c) **BENEFIT:** This subsection defines the benefit in a way that tracks the enabling legislation. It limits the benefit to a reduction in property taxes. Hence, volunteers who do not owe property taxes realize no benefit, and volunteers who owe less than \$2,000 in property taxes realize a smaller benefit.



(d) **LIMITATIONS:** This subsection prevents residents who belong to more than one of the volunteer fire departments or who belong to both a volunteer fire department and volunteer ambulance from getting a double benefit. This limitation reflects the memberships' desire to avoid artificial cross-pollination for the mere purpose of obtaining a more significant tax abatement rather than dual or triple membership based on genuine interest and the perception that the time volunteered by most individuals tends to be approximately the same regardless of whether the volunteers spend their time exclusively for one fire department or in combined participation in more than one organization.

An additional limitation restricting the benefit to one per married couple was considered and abandoned because of fairness concerns.

(e) **MECHANISM:** This subsection sets forth a mechanism for providing adequate notice to the Tax Collector so that they can promptly make the necessary adjustments to tax bills. It also provides a tool for giving similar notice to the entities like a Board of Finance, Office of the First Selectman, and Office of the Tax Assessor so that these entities can adequately plan in anticipation of abatements. It ensures the validity of the notice by requiring a notarized certification of the information provided by the respective Chiefs. Finally, it offers similar notice to entities like the Board of Fire Commissioners and the Board of Directors of the service organizations so that these entities can stay in the information loop.

(f) **ELIGIBILITY:** This subsection sets forth, as a minimum, compliance with the requirements already in place for pension plan credit. It also sets forth language in which the Board of Fire Commissioners can amend eligibility criteria in the future.