



TOWN OF BROOKLYN

P.O. Box 356 - Route 6 and 169
BROOKLYN, CONNECTICUT 06234

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Board of Selectmen
Regular Meeting Minutes
Thursday, October 13, 2022
6:30pm via Zoom and in person
Clifford B. Green Memorial Center

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Present: Austin Tanner, Lou Brodeur, Joe Voccio and Melissa Bradley; Recording Secretary

Also Present: Sandy Brodeur, Heather Allen, Ken Dykstra and Jennifer Nemeth

- 1. Call to Order:** A. Tanner called the meeting to order at 6:30pm.
- 2. Approve Minutes:** L. Brodeur made a motion to approve the minutes of 9/29/22 as presented. A. Tanner seconded the motion. J. Voccio states he was not in attendance. Motion carried 2-1 abstain (J. Voccio).
- 3. Public Comment:** None
- 4. Appointments:** A. Tanner made a motion to appoint Karl Avanecean to Planning & Zoning as an alternate member with a term expiring 10/01/2024. L. Brodeur seconded the motion. Motion carried 3-0.
- 5. Discussion on Financials:** None
- 6. Discussion and Action on H. Allen's request for a Permit Refund:** Heather Allen was charged for a permit fee to install a pond that was not needed or received. Total amount paid was \$310 - \$150 Town fee; \$60 State fee; and \$100 publication fee. L. Brodeur made a motion to refund the entire amount of \$310 to Heather Allen. J. Voccio seconded the motion. Motion carried 3-0.
- 7. Discussion on Community Development Grant:** The grant submitted for sidewalks to Fairgrounds Road was not granted.
- 8. Discussion on Veterans Day Ceremony:** There will be a ceremony on Veterans Day, 11/11 @ 1pm at the monuments across from Mortlake. A. Tanner states he will not be available. J. Voccio and L. Brodeur will be at the ceremony to help.
- 9. Discussion Update on the Senior Center Agreement:** A. Tanner has not met with them yet.

- 10. Approve Bills:** L. Brodeur made a motion to approve bill voucher #1180 dated 10/13/22 in the amount of \$333,906.44. J. Voccio seconded the motion. L. Brodeur questions why R. Tatro, a DJ at Feargrounds, was paid more than the other DJ also playing there? L. Brodeur questions who Karen Monroe is? A. Tanner states she helps the finance department with ivisions. There is payment for the school boilers, is this a progress payment or final payment? A. Tanner will ask. It is discussed that the consulting lawyers for Planning & Zoning is being used a lot. Motion carried 3-0. At the last meeting, a bill for gas was questioned. A. Tanne did not get the answer yet.
- 11. Other Business:** There is an open house for the new bed and breakfast on 10/27 @4:30pm, which is when the next BOS meeting is scheduled. The meeting time will be moved to 6pm. The purchase order policy will be given to all departments. The finance office is working on the RFP for the auditors. The position for the school finance director has been posted and two people have been interviewed. The salary study is still in progress. A. Tanner is meeting with Randi Frank next week.
- 12. Public Comment:** Jennifer & Matt Nemeth, 131 Day Street:

Town of Brooklyn Board of Selectman:

Before I begin, I want to state that I believe being here and presenting my complaints during public comment is not the route that should be taken to handle this matter but that was the request of the Selectman, so if I run over time for the public comment portion of the evening that is why.

My husband Matt and I own The Ice Box & Suto here in Brooklyn. We reopened The Ice Box in 2018, and Suto opened in July of 2021. Over the past few years both Matt and I have had many interactions with the Town Zoning Department, and ZEO Margaret Washburn. In late September we became aware that ZEO Washburn has been defaming our business to other business owners within the town of Brooklyn. Those business owners came to us, independently, and shared specific times that she has mentioned our business to them.

Specific incidents to note are when ZEO Washburn shared with Business #1, that she is "opposed to us having our liquor permit". This struck me as interesting considering she signed our liquor permit application, she apparently claimed that this would make the "traffic situation" worse. She also had a long conversation with Business #2 that painted our business in a very unfavorable light.

My husband, Matt, has had multiple conversations with Selectman Tanner who admitted to that ZEO Washburn has been "hyper focused on our business" and that he had told her to "cool it" in the past.

Not only has she shared her unsolicited opinion on our business with others, but she has focused unnecessary attention on our business (with citations threatened) for 2 years now. With the recent events, we deduced that she has been working against us since the

issues with the fire dept started. We believe that she has also given advice to the East Brooklyn Fire Dept to aid in their current lawsuit against us. *Side note - We do have specific evidence to that, but I do not want to share on the record until I clear with our attorney.*

To help us further determine if there had been efforts to advise the Fire Department, we submitted a Freedom Of Information Act (FOIA) request to the town clerk and first selectman (specifically looking for any correspondence with individuals pertaining to the lawsuit) However the FOIA request was immediately forwarded to ZEO Washburn herself for action.

It is my experience from over a decade of processing FOIA requests on behalf of the State of CT; a supervisor would be the proper person to process such request. Therefore, when we saw the request forwarded to ZEO Washburn directly, we immediately asked Selectman Tanner that ZEO Washburn recuse herself from the FOIA request. A request which was not acted on.

When no response regarding personnel action to ZEO Washburn was taken, and no attempt was made to rectify the mishandling of our FOIA request we attempted to go on the Town of Brooklyn website and file an ethics complaint. The online form did not work. It was then that we discovered that the town Ethics Committee is apparently currently inactive- (there is an Agenda from March of 2022 but no minutes for that meeting date or action since. Former Chair Pam Childs is still listed on the website, but she passed in 2021.)

Brooklyn has earned a widespread reputation of not only being anti-business but also anti-growth. Whenever I speak to people in other towns, they immediately state that they "feel bad" for us for trying to grow a business in Brooklyn and suggest that we think about moving away. As a lifelong resident of the town (and the great-granddaughter of the Selectman who this building is named in honor of) that makes me genuinely sad and angry. It absolutely does not have to be this way.

After having the most difficult three plus years of my life because of actions by this town I come to you asking for asking for action on multiple levels:

Address the personnel issue regarding ZEO Washburn; Rectifying what we believe is the mishandling of our FOIA request.

Immediate action to find a way to end the litigation brought forward by the EBFD against ourselves and others;

Restaff the Town of Brooklyn Ethics Committee so that there can be an appropriate avenue for town citizens to file and have issues reviewed in alignment with CT state laws;

I propose that we, as a town, start to consider a town charter. I believe that in 2022 the times are truly changing, and we need to as well. It is getting harder and harder to fill volunteer positions on commissions and boards, people are increasingly unlikely to run for office as well. I propose Brooklyn consider shifting towards a town council style of

government which would be more representative of the town's demographics. Where we would employ a professional town manager who's work would be overseen by the counsel. I know this progression would be years in the making but we need to get the ball rolling.

I know my comments this evening have been lengthy, and I know Matt and I have been labeled by some as "difficult" around town... I counter that knowing and/or learning local and State laws *and* expecting that all officials adhered to them doesn't make someone "difficult".

The issues raised tonight are years in the making. I am here now in hopes we can work together to enact positive change and make Brooklyn the amazing town we all know it can be.

Lastly, I want to cite Connecticut General Statute CGS § 7-148h(a) which states:

"The law requires municipal ethics commissions to adhere to the same confidentiality requirements as the Office of State Ethics when handling allegations of unethical conduct (CGS § 7-148h(a)).

Thus, a complaint to, and investigation by, an ethics commission must remain confidential unless (1) the respondent requests otherwise or (2) there is a probable cause finding, at which point the entire record of the investigation becomes public. If no probable cause is found, the complaint and investigation can be disclosed only upon the respondent's request, but the record may be used in subsequent proceedings. The law does not prohibit the commissions from reporting a possible crime to the chief state's attorney or other prosecutorial authority (CGS § 1-82a).

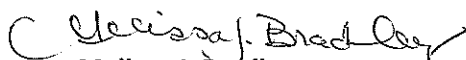
Therefore, the instructions to come tonight and raise our concerns during the public comment portion of the BOS meeting, as our only means of filing a formal complaint, is against Connecticut State Law and any subsequent town ethics complaints from other residents would also follow suit.

I respectfully request that this complete statement be added to the minutes for tonight's meeting and have provided a copy for the convivence of the recording secretary.

Thank you all for your time and attention.

13. Adjourn: L. Brodeur made a motion to adjourn the meeting. J. Voccio seconded the motion. Meeting adjourned at 7:07pm.

Respectfully Submitted;


Melissa J. Bradley
Recording Secretary