

Good evening,

My name is Jennifer Nemeth and most of you present this evening are already aware that my husband and I are being sued, along with others, including the Town of Brooklyn by the East Brooklyn Fire Department and the Brooklyn Fire District.

After years of waiting for action that was promised from public officials we have now taken matters into our own hands and I have been regularly attending town meetings as a plea for help from the boards and committees but also by way of the meeting minutes going to the public. Yes, our plea is primarily about wrapping up this insane lawsuit but in addition I am raising issues we have found as a result of our lawsuit discovery.

Tonight I again want to raise the issue of mismanage funds on behalf of the EBFD and the Brooklyn Fire District. I submit supporting documents to that effect as well.

Issue # 1:

Facebook post from EBFD Fire Chief Brian Pepin in which is states in part:

This Fire Department was placed on this lawsuit illegally. Department laws were not followed, and an attorney was hired to represent the department by past leadership with no vote by the membership...”

It seems to me like this is an issue the Town should want to both rectify immediately and investigate who is financially responsible for the actions this illegal lawsuit has caused.

Issue # 2

I am attaching emails from town officials regarding questions we have raised regarding the “mortgage” at 15 South Main Street. As a result of the discovery process in defending ourselves in the lawsuit we have reason to believe there is a major issue regarding the mortgage for the District. We have been asking for the public records since February and have received no results. The most recent comment this week from the First Selectman is that the mortgage issue is “fuzzy”.

According to the Brooklyn Fire District's Annual Meeting Minutes from May 2, 2022: "I[n] the past year we have had some changes going on, we paid off the mortgage and we appointed a new Chief..."

From the Town Clerk: "Unless it's under a different name, there is not record of a mortgage or release under Brooklyn Fire District recorded on the land records."

From the Finance Office: "I can say, we do not have any documentation in our current records for either obtaining the mortgage or paying off the mortgage..."

A ask this commission to not accept "fuzzy" as an answer anymore. The public deserves to know how that mortgage was obtained, who received the mortgage interest all these years, and receive the documents regarding the "pay off".

When I sent an FOIA request to the Brooklyn Fire District I was informed by their attorney "It is the position of Brooklyn Fire District, Inc. that it is not a public agency or agency as defined by FOIA, required to produce the documents which you requested..." I have been working to prove otherwise to their agency and I request this Board help me do the same for the sake of the town.

I thank you in advance for your time and attention to these matters. I ask that this statement be entered into the public records, including seven pages of attachments. I will send hard copies of all this to the recording secretary for her records.

#1

Old Mtg Reference (10)
Re: Item 2

Attachment #1 Complete EBFD Facebook Statement from Chief Pepin posted October 26, 2022:

I am writing this statement on behalf of the East Brooklyn Fire Department and with permission from the fire department President. This statement has no reflection on the Brooklyn Fire District as they are their own separate entity. I have been the Fire Chief here in East Brooklyn for the last 8 months. It has taken me this long to wrap my head around this on-going situation with the Ice Box. Let me be clear with the information that is not being disseminated. It is very unfortunate that we have been placed in this position due to the negligence of the past leadership of this organization. This Fire Department was placed on this lawsuit illegally. Department by-laws were not followed, and an attorney was hired to represent the department by past leadership with no vote by the membership. Per our department by-laws the Fire Chief has no authority to conduct business on behalf of the fire department. The only representative with that authority is the department president. Again, the department members did not vote to be placed on this lawsuit. The Brooklyn Fire District and the East Brooklyn Fire Department are two separate entities. As the Fire Chief I have no authority or say when it comes to the Brooklyn Fire District, as they are above me. I represent the membership only. However, with all of this being said, I am quite saddened and disturbed over statements made towards my members over the past week and 24 hours. 90 percent of my membership have no desire to be a part of this. As a matter of fact- the majority of them were not members when all of this started. Over the past 8 months we have obtained some new membership, including cadet and junior members. Members have been harassed in local establishments, in public, and on social media. We have received harassing messages on our own social media. My junior membership (all under 17years old) has had to deal with negative comments in public. I have had to cancel public relation and fund-raising events because I refuse to let my membership be berated in public. All in which 90 percent of our volunteers have had nothing to do with any of this. I find this entire situation to be absolutely disgusting. In the past 8 months there has never been an instance where a member has spoken to or harassed any patron of the Ice Box. As a leader, I understand that it is my responsibility to take the blow of this mess that was left behind. However, I feel incredibly sad for the hard-working men and women of this organization that continue to answer the call for service despite all of this negative attention. I am so proud of their resistance to respond in public and on social media. They are proud to display East Brooldyn Fire Department on their clothing and should do so without harassment. We will keep moving forward and serve the public we protect with respect and compassion. The East Brooklyn Fire Department is continuing to move forward to resolve this on-going issue. Thank you.

Brian M. Pepin
Fire Chief
East Brooklyn Fire Department

Brooklyn Fire District

Annual Meeting

May 2, 2022

RECEIVED
TOWN CLERK'S OFFICE

2022 JUN-1 - 7 PM 4:50

RECORDED VOL. PAGE
Katherine Bissom
TOWN CLERK BROOKLYN, NY

Meeting called to order at 19:00

Reading of the Minutes: Motion to accept as read by Raymond Gallup, Second by Marie Warrender. Motion carried.

President's Report:

In the past year we have had some changes going on, we paid off the mortgage and we appointed a new Chief. Thankfully we have not had any major problems with the fire station and have kept up on all the preventive maintenance on the generator, roof, doors, heating, and air conditioning. As we start a new year, we hope to have the new water line installed this year which is a good thing but with that some of the plumbing may need upgrading. The front parking lot will also need some work done in the near future. We are also talking about making a meeting room in the back of the service bay.

Motion to accept by Raymond Gallup, Second by Marie Warrender. Motion carried.

Tax Collector's Report: As of 4/30 \$68,129.53 has been collected, that is 98% of what was billed.

Motion to accept by Raymond Gallup, Second by Jon Livernoeh. Motion carried.

Treasurer Report As of 4/30 Checking \$11,435.92 and Savings \$170,195.10.

Motion to accept by Raymond Gallup, Second by Jon Livernoeh. Motion carried.

Chief's Report: All is going well, we are working more closely with Mortlake on training and calls. We have a new flier and working on new memberships

Motion to accept by Raymond Gallup, Second by Jon Livernoeh. Motion carried.

New Business: None

Old Business: none

Budget for next year presented:

Motion to accept by Raymond Gallup, Second by Richard Denomme. Motion carried.

MIL rate for next year staying at 1.75:

Motion to accept by Raymond Gallup, Second by Richard Denomme. Motion carried.

General Discussion: Richard Denomme asked about the generator. William Wheaton Sr. told him that we have it service regularly. Patrick Gauthier said it is run every Tuesday and it does that on it's own.

Election of Board Members: Motion was made by Jon livernocho to keep the same Board positions as last year. Seconded by Raymond Gallup Motion Carried.

Motion to adjourn at 19:17: Motion to accept by Raymond Gallup, Second by Jon Livernocho. Motion carried.

Attendance:

Raymond Gallup

Patrick Gauthier

Marie Warrender

Robert Warrender

Jon Livernocho

Richard Denomme

William Wheaton Sr.

William Wheaton Jr.

Brian Pepin

Subject: RE: FOIA request - Brooklyn Fire District
Date: Thursday, November 3, 2022 at 11:50:52 AM Eastern Daylight Time
From: Kate Bisson
To: Jenn Nemeth, wswheatonl@charter.net
CC: Austin Tanner, Melissa Bradley, Matt Nemeth
Attachments: AnnualReport2022EBrooklyn.pdf

Hi Jenn,

I've attached the annual report to this email that lists the Fire District Board members. I will also forward your FOI request to the Finance office regarding the funding request.

Unless it's under a different name, there's no record of a mortgage or release under Brooklyn Fire District recorded on the land records.

Unfortunately I don't have an email address for William Wheaton so I can't confirm you have the correct one.

Katherine Bisson, CCTC
Town Clerk
860-779-3411 ext. 36
4 Wolf Den Road
P.O. Box 356
Brooklyn, CT 06234

From: Jenn Nemeth <jenn@theiceboxct.com>
Sent: Tuesday, November 01, 2022 11:21 PM
To: wswheatonl@charter.net
Cc: Austin Tanner <A.Tanner@Brooklynct.org>; Kate Bisson <K.Bisson@Brooklynct.org>; Melissa Bradley <M.Bradley@Brooklynct.org>; Matt Nemeth <matt@theiceboxct.com>
Subject: Re: FOIA request - Brooklyn Fire District

As a follow up to our FOIA request for the public meeting documents we are also requesting the following detailed below.

Side note- Per State FOIA rules an agency must acknowledge receipt of all FOIA request within four days. For this reason, I am asking the town hall employee copies on this email help me confirm I have the correct email address for the Brooklyn Fire District President William Wheaton prior to that time lapsing.

Addition FOIA requests:

-A listing of current Brooklyn Fire District board members. There is typically a listing on each annual meeting minutes but the May 2, 2022, minutes state: "Election of Board Members: Motion was made by Jon Livernoche to keep the same Board positions as last year. Seconded by Raymond Gallup Motion Carried."

-Per section 7-328 of the Connecticut General Assembly Public and Special Acts we are

requesting the Tax District and/or The Town provide a copy of the request made by the Fire District when they obtained funding for the "mortgage" at 15 South Main Street.

See 7-328 taxation and bonds:

"...The clerk of the district shall give written notice to the treasurer of the town in which the district is located of any final decision of the board of directors to borrow money, not later than thirty days after the date of such decision. The district may adopt ordinances, with penalties to secure their enforcement, for the purpose of regulating the carrying out of the provisions of sections 7-324 to 7-329, inclusive, and defining the duties and compensation of its officers and the manner in which their duties shall be carried out."

Lastly per the May 2, 2022 Brooklyn Fire District annual meeting minutes stating that the mortgage at 15 South Main Street was "paid off" we are requesting from the District and or the Town, documentation to that effect.

Original request sent on 10/31/22:

We are requesting the public monthly meeting minutes from the Brooklyn Fire District from 2018-present.

We understand that there may be a nominal copy fees associated with making copies of the forms are willing to pay associated costs

Jenn Nemeth
The Ice Box
#noscooptillbrooklyn
www.theiceboxct.com

From: Jenn Nemeth <jenn@theiceboxct.com>
Sent: Monday, October 31, 2022 12:09:05 PM
To: wswheatonl@charter.net <wswheatonl@charter.net>
Cc: Austin Tanner <A.Tanner@Brooklv.nct.org>; Kate Bisson <K.Bisson@Brooklv.nct.org>; Melissa Bradley <M.Bradley.@Brooklv.nct.org>; Matt Nemeth <matt@theiceboxct.com>
Subject: FOIA request - Brooklyn Fire District

Mr. Wheaton:

We are requesting the public monthly meeting minutes from the Brooklyn Fire District from 2018-present.

We understand that there may be a nominal copy fees associated with making copies of the forms are willing to pay associated costs.

Jenn Nemeth
The Ice Box
#noscooptillbrooklyn
www.theiceboxct.com

Subject: Re: FOIA request - Brooklyn Fire District

Date: Wednesday, November 15, 2022 at 6:22:40 PM Eastern Standard Time

From: Shelley Cates

To: Jenn Nemeth

CC: Matt Nemeth

Hi Jenn,

I did receive the forwarded request. As our office is short staffed, I have not had the opportunity to research this further than our current records. I can say, we do not have any documentation in our current records for either obtaining the mortgage or paying off the mortgage. I will not be able to research our archived files at this time as they are not readily available (they are in a vault at a separate location from the Finance Office). The Fire District may be able to provide them to you in a more timely manner, if you haven't tried them already.

Feel free to follow up at any time.

Best,

Shelley

Subject: Brooklyn Fire District

Date: Wednesday, November 2, 2022 at 11:51:50 AM Eastern Daylight Time

From: William McCoy

To: Jenn Nemeth

CC: wswheatonl@charter.net

Dear Ms. Nemeth:

The Brooklyn Fire District, Inc. has asked me to respond to your request under FOIA for records of the Brooklyn Fire District including monthly meeting minutes of Brooklyn Fire District from 2018 to present, a request for current board members for the Brooklyn Fire District, a request for when funding for a mortgage on property at 15 South Main Street was obtained and further documentation concerning the payoff of a certain mortgage on property at South Main Street from the Brooklyn Fire District.

It is the position of Brooklyn Fire District, Inc. that it is not a public agency or agency as defined by FOIA required to produce the documents which you requested. This email is to firstly, indicate that we have received your October 31, 2022 and November 2, 2022 requests and to respond to the same. The Brooklyn Fire District, Inc. is currently reviewing its records to determine whether or not the requested information may be voluntarily provided to you, although it is its position that it is not covered under FOIA as a public agency or agency.

We assume, based upon the email trail of your emails, these requests have been made on the Town of Brooklyn, as well, and this correspondence is not intended to implicate the Town concerning any request for records that you are making directly to them. I would point out to you, also, this was sent to the personal email of one of the members of the Board but we are treating this as a request that has been received and are taking the request as a serious matter that the Brooklyn Fire District, Inc. will, in due course, respond to.

Very truly yours,

William E. McCoy

Heller, Heller & McCoy

736 Norwich-New London Turnpike

Uncasville, CT 06382

Telephone: (860) 848-1248

Facsimile: (860) 848-4003

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