

Oral Statement:

I am addressing the Board this evening because there was no response to my email on Monday November 7 asking that six action items be placed on this evening's agenda. Subsequently I am still requesting the items in that email be added to tonight's agenda or the next Board of Selectman meeting.

Last week my husband, Matt, and I met with First Selectman Tanner at length regarding the ongoing lawsuit issues, and then he and Matt spoke on the phone on Monday as a follow-up. While we very much appreciate any time or attention that is given to our case we also see a great value in transparency and having on the record discussions as well.

Because my written statement regarding the action items is lengthy, and because I already read them out loud last night at the Fire Commissioners meeting, I will submit them in the form of a written statement in addition to the comments I have for the record this evening.

Tonight, I want to simply plead with the members of the Board as humans. I want you to forget about our businesses for a second, I want you to forget about the lawsuit. I would like you to look at me in the eyes and see me as a person. I am a mother of two amazing young boys, I am a wife, daughter, granddaughter, aunt, friend, active community member and more.

In addition to running our two businesses, raising two boys, navigating a pandemic and post pandemic complete economic disaster, I am the caregiver for my father and grandmother who both have dementia, I also look after my 84-year-old grandfather and my mother who has a serious autoimmune disease.

I'm not here looking for sympathy on my personal situation BUT when you factor in all the curve balls life throws at someone and THEN you throw in two frivolous lawsuits (it's important to remember here this is not the first lawsuit that was brought against us by the Brooklyn Fire District and the East Brooklyn Fire Department) then you add in the 83 days that the Department members blocked our back parking lot access, then go ahead throw in all the times the police were called, when our building permits were pulled, the revenue lost due to losing our parking space and lot (and more), all the gobs and gobs of money that flows right into the pockets of all the lawyers involved in this, and on and on...

We have not one single clue what the goal of the Brooklyn Fire District/EBFD was when they started this harassment/lawsuit against us, nor what it still is today. But if the goal was to completely ruin our lives, then I am here tonight on public record to formally announce that they have succeeded.

We are completely done – to be specific: I actually used the words “dead inside” in therapy the other day. I have sufficiently reached the part in this trauma where I don't even want to die anymore because I'm walking around dead inside every god damn day.

Owning The Ice Box had been a dream of mine for over twenty years. Now that dream is an absolute nightmare.

I will leave you tonight with the same message I gave Austin Tanner last week: Please just let us go. Help us wake up from this nightmare. We can't even sell our property and leave because of pending suit. We can't run from town under

the cover of darkness because they have us in a position where we literally can't leave even if we want to. We are being held hostage here in the unrelenting purgatory of this never-ending lawsuit.

The last thing I want to mention before I give up my time is regarding our liquor license at the shops. I am assuming that you all know that we applied for and were approved for a Provisional Liquor Permit by all pertinent departments in the Town of Brooklyn, as well as the State of Connecticut.

Now we have now been assigned a hearing in Hartford on December 8, because the Brooklyn Fire District President, William Wheaton Sr., has opposed our permit on the basis that we do not have enough parking. Yesterday we discussed this new development with our property attorney. Unfortunately, due to the nature of liquor license cases we must hire a specialized attorney for that hearing. We consulted him today. Oddly enough he was already familiar with the lawsuit against us and described it as a collateral attack on our business that has zero to do with our liquor permit. Then he sent us a contact requiring a \$2,000 retainer an invoice for the first \$400 hour.

Unlike the Brooklyn Fire District, we do not have \$183,886 plus in combined bank accounts.

That is all I have for tonight. I am respectfully asking that this statement, my written statement and supporting documents be entered into the public record for this meeting and I thank this Board for your time.

WRITTEN STATEMENT

Dear Board of Selectman:

Understanding that this statement is nearly identical to the one I read on the record last night I still feel as though it is important to have on the Board of Selectman's meeting minutes. Please also reference the attached email that I sent First Selectman Austin Tanner regarding our request to add items to this meeting agenda.

We are formally asking the BOS to act on the following items:

Action item #1

We are requesting the town follow up with the Brooklyn Fire District and or Attorney McCoy regarding our recent FOIA request to the Brooklyn Fire District, and the fact that they are a in fact a public agency who is required to comply with FOIA requests.

Attorney McCoy states in part "It is the position of the Brooklyn Fire District, Inc. that it is not a public agency as defined by FOIA, required to produce the documents which you requested." (full email attached)

a. ***We contest that claim and say: The Brooklyn Fire District is a Special Taxing District.***

The "Independent Special Taxing Districts in the State of Connecticut" document states that
(page 10 attached)

"The full gamut of freedom of information statues apply to special districts."

b. In addition, the Brooklyn Fire Districts own by-laws state:

Section 2.

“The district board’s duties, which are required for operation and management of the district, are set forth in these by-laws and pertaining to resolution of the General Assembly of the State of Connecticut...

and

Section 3.

“The District Board Shall abide by all resolutions passed by the General Assembly of the State of Connecticut.”

**These are from the 2021 by-laws since the 2022 do not appear to be filed with the town hall yet.*

- c. It should also be noted that Attorney McCoy uses a different name and mailing address nearly every time he writes about or files documents on behalf of the Brooklyn Fire District. In this particular email he references to them as the Brooklyn Fire District, Inc. which is an organization that does not exist.

Action item #2

Town of Brooklyn to follow up with Attorney Rule regarding October 26, 2022 EBFD Facebook post where Chief Pepin wrote (in part):

“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.

The EBFD can perform its own action here action item regarding the statement above. They can request that they be discharged from Attorney McCoy’s representation of their department in the lawsuit.

Action item #3

The town of Brooklyn to follow up conversation/action regarding our lengthily discussion last week with Fire Marshal Doug Kramer regarding the validity of the “Fire Lane” on the easement as well as the “No Parking Fire Lane” signs on South Main Street.

Action item #4

Because so much erroneous information is coming from the Brooklyn Fire District Matt also asked First Selectman Tanner to act per Chapter 99 Section 7-195 Consolidation of Governments to work towards consolidating the Brooklyn Fire District with the Town of Brooklyn. This statute allows the larger body of government to absorb special taxing

districts, specifically. It can be accomplished at a town meeting with a 2/3 vote. This is how to start the process of dissolving the special taxing district at the town level.

Sec. 7-195. Consolidation of governments. (a) As used in this section and sections 7-196 to 7-201, inclusive, "unit of local government" means a town or political subdivision thereof and "political subdivision" means a city, borough or district within a town.

(b) The consolidation of the government of any town with the government or governments of one or more political subdivisions therein shall be effected in the manner hereinafter prescribed. A proposal to consolidate setting forth the units of local government to be consolidated may be adopted by a majority vote of the entire membership of the legislative body of any unit of local government or, when the legislative body is the town meeting, by a majority vote of those present and voting. Upon adoption of such proposal, a copy thereof shall be transmitted to the legislative body of each other unit of local government included in the proposed consolidation, which legislative body shall, within thirty days of the adoption of the proposal, accept or reject the proposal. Acceptance shall be by resolution adopted by at least a majority vote of the entire membership of the legislative body of each such other unit or, when the legislative body is the town meeting, by a majority vote of those present and voting, a copy of which resolution shall forthwith be filed with the town clerk.

(c) In addition to the method of initiating a consolidation set forth above, such action may also be initiated by petition. Such petition shall set forth the units of local government to be consolidated and shall be signed by not less than ten per cent of the electors of each political subdivision included in the proposed consolidation and by not less than ten per cent of the electors of the town, if any, residing outside the boundaries of any such political subdivision; provided, if a lesser number of signatures on such petition is required by any existing special act, such number shall be sufficient for the purposes of this section. Prior to the obtaining of any signatures on such petition, a copy thereof shall be filed with the town clerk and a period of ninety days from the date of such filing shall be allowed for the obtaining of the required signatures. Within not more than ninety days from the filing of the copy of the petition with the town clerk, the signed petition shall be filed with the town clerk, who shall proceed forthwith to determine its sufficiency by comparing the names thereon with those contained in the registry list of the town and shall certify its sufficiency or insufficiency to the presiding officer of the legislative body of the town; provided a separate petition may be signed by the electors of each political subdivision included within the proposed consolidation and by the electors residing outside the boundaries of any such political subdivision, in which case the clerk of each such political subdivision shall determine the sufficiency of the petition so far as such political subdivision is concerned and shall certify such sufficiency or insufficiency to the clerk of the town, who shall transmit the certification to the presiding officer of the legislative body of the town.

(1957, P.A. 465, S. 9; 1971, P.A. 55; P.A. 80-474, S. 1, 4.)

A note to the Board that is not relevant to the lawsuit but we feel is equally important:

Earlier this year it was brought to our attention by a town employee that current fire department building was located outside of the Brooklyn Fire District. After learning this we looked into the meeting minutes and such to see how the District was allowed to purchase property outside of the district back in 2003. When we couldn't find anything on the minutes or a record of a mortgage ourselves, so we inquired with the town clerk. Her response is as follows:

"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."

We bring this up as concerned citizens since there are strict laws governing the bonding of public buildings. Even if everything with the District is on the up and up, the fact alone that the documents are not easily accessible in records for the public to review or to be found by the town Clerk is alarming.

I could go on all night with all the things we have uncovered, and we have shared all of this already with the First Selectman. But the fact of the matter is that in the best interest of this Board of Selectman, the Fire Commission and the Town of Brooklyn to take a deep dive into the Brooklyn Fire District to make sure that they are in compliance with all policies and procedures set forth by the State of Connecticut.

I am asking you here tonight to be the people to take that dive.

I have attached nine pages of documents in support of this statement and ask that they be entered into the public record in their entirety along with this two-page statement I will email them all to the recording secretary.

Thank you for your time.

Subject: Phone call recap and BOS agenda request
Date: Monday, November 7, 2022 at 10:20:54 AM Eastern Standard Time
From: Jenn Nemeth
To: Austin Tanner, Melissa Bradley
CC: Matt Nemeth
Attachments: image001.jpg

Austin,

To recap our daily check in phone call from today. The following action items are still pending:

- 1) Patrick Gauthier to be recused from the Fire Commission for the time period that the lawsuit pending;
- 2) Continued research and answers into the "mortgage" situation at 15 South Main Street;
- 3) The illegal "no parking fire lane" signs removed from South Main Street as soon as possible;
- 4) Schedule conversation with Fire Marshal Doug Kramer about comments he made to us and the EBFDF regarding the "Fire Lane";
- 5) Send documents provided by us to Attorney Rule RE: EBFDF request to be removed from the lawsuit. You have the letters and the signature from last week;
- 6) Follow up with the Brooklyn Fire District and or Attorney McCoy regarding our FOIA request and the fact that they are a public agency who is required to comply with FOIA requests.

We are also asking that these issues be discussed at the BOS meeting on Thursday 11/10/22 and by copying Ms. Bradley on this email we are requesting that the Second and Third Selectman be looped in on that request.

Jenn & Matt



Jenn Nemeth
Owner/Captain of the Scoop Squad
Phone 860-774-0042 Mobile 860-933-7208
Web www.theiceboxct.com &
www.sutoct.com
Email Jenn@theiceboxct.com
17 S Main Street, Brooklyn, CT 06234

Brooklyn Fire District

Meeting

March 8, 2022

Meeting called to order 19:00 Motion by Raymond Gallup, 2nd by Richard

Denonne

Open the floor for comments: None were made

Reading of the minutes: Motion to Accept Raymond Gallup, 2nd by Nicholas

Provost

President's report: New Chief is doing a fine job and fitting in well. Possible

meeting room being made in back of the service bay. Motion to Accept Raymond

Gallup, 2nd by Nicholas Provost

Tax Collector's report: Billings \$69,566 Collected \$67,868

Treasurer's report: Checking \$13,744, Savings \$170,142 = \$183,886

Motion to Accept Raymond Gallup, 2nd by Jon livernoche

Chief's report: Motion to Accept Raymond Gallup, 2nd by Nicholas Provost

New Business: None

Budget for next fiscal year: Motion to Accept Raymond Gallup, 2nd by Richard Dononne

Old Business: Still waiting to hear about the water line and the piping in the station may have to be replaced when the new line is installed. The law suit with the Ice Box is still going on. Motion to Accept Raymond Gallup, 2nd by Richard Dononne

Opens the floor for general discussion: None

The next meeting will be the first Monday in May at 19:00

Motion to adjourn: Motion to Accept Raymond Gallup, 2nd by Richard Dononne

19:22

In attendance:

Raymond Gallup

Patrick Gauthier

Jon Livernoche

Gregg Mefford

Nicholas Provost

William Wheaton Sr.

STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION

Via Certified Mail and Email: Matt@theiceboxct.com, Jenn@theiceboxct.com and
wsheaton2@gmail.com

7020 3160 0000 1918 2945

In the matter of:

Matthew S. Nemeth, Permittee
The Ice Box
17 S. Main Street
Brooklyn, CT 06234

Case: 2022-431
Permit: LCA.8755-P
Backer: A&W Ice Cream Co,
LLC

PURSUANT TO CONN. GEN. STAT. § 30-43 AS AMENDED:

You and a member of the backer limited liability company are summoned to appear for a hearing regarding an application for a liquor permit for The Ice Box at 17 South Main Street, in Brooklyn, CT, 06234, before the Department of Consumer Protection, on **December 8, 2022 at 1:00 p.m.** The hearing will be conducted remotely. Instructions on how to connect to the Zoom platform is attached.

You will be required to furnish facts and evidence in support of the application relative to suitability of person and/or place as provided by Chapter 545 of the Connecticut General Statutes and the Regulations of the Connecticut State Agencies.

THIS HEARING IS BEING HELD ON A QUESTION OF:

Issue #1: Sec. 30-39(c) of the Connecticut General Statutes. Applications for permits, renewals. (Remonstrance.)

The respondent has waived, in writing, his opportunity for a compliance meeting.

PLEASE BE ADVISED THAT YOU WILL BE EXPECTED TO APPEAR WHEN YOUR HEARING IS CALLED BY THE COMMISSION. FAILURE TO APPEAR AT THE DESIGNATED TIME MAY RESULT IN A DEFAULT.

If you have any questions regarding this notice, please contact Tanya A. Washington of the Department of Consumer Protection's Legal Division at (860) 241-8475 fax at (860) 706-1332 or email at tanya.washington@ct.gov.

Dated at Hartford, Connecticut, this 3rd day of November 2022.

STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION



Scott P. Madeo
Staff Attorney
Legal Department

c: Matthew S. Nemeth
131 Day Street
Brooklyn, CT 06234

Via Certified Mail:

William Wheaton, Sr., Agt for Remonstrance

21 Baily Street

Brooklyn, CT 06234

ITEM #2

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: wswheaton1@charter.net <wswheaton1@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: 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

Re: Item 3

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 Brooklyn 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

Item #1

SUMMONS - CIVIL

JD-CV-1 Rev 2-20
C.G.S. §§ 51-346, 51-347, 51-349, 51-350, 52-45a, 52-48, 52-259;
P.B. §§ 3-1 through 3-21, 8-1, 10-13

For information on
ADA accommodations,
contact a court clerk or
go to: www.jud.ct.gov/ADA.

STATE OF CONNECTICUT
SUPERIOR COURT
www.jud.ct.gov



Instructions are on page 2.

- Select if amount, legal interest, or property in demand, not including interest and costs, is LESS than \$2,500.
Select if amount, legal interest, or property in demand, not including interest and costs, is \$2,500 or MORE.
[X] Select if claiming other relief in addition to, or in place of, money or damages.

TO: Any proper officer

By authority of the State of Connecticut, you are hereby commanded to make due and legal service of this summons and attached complaint.

Address of court clerk (Number, street, town and zip code) Telephone number of clerk Return Date (Must be a Tuesday)
155 CHURCH STREET, PUTNAM, CT 06260 (860) 928 - 7749 11/16/2021

Judicial District G.A. At (City/Town) Case type code (See list on page 2)
Housing Session Number: PUTNAM Major: P Minor: 20

For the plaintiff(s) enter the appearance of:

Name and address of attorney, law firm or plaintiff if self-represented (Number, street, town and zip code) Juris number (if attorney or law firm)
HELLER, HELLER, MCCOY 736 NORWICH NEW LONDON TPKE, UNCASVILLE, CT 06382 040598

Telephone number Signature of plaintiff (if self-represented)
(860) 848 - 1248

The attorney or law firm appearing for the plaintiff, or the plaintiff if self-represented, agrees to accept papers (service) electronically in this case under Section 10-13 of the Connecticut Practice Book. [X] Yes [] No
E-mail address for delivery of papers under Section 10-13 of the Connecticut Practice Book (if agreed)
BMCCOY@HELLERMCCOY.COM

Table with 2 columns: Parties, Name (Last, First, Middle Initial) and address of each party (Number; street; P.O. Box; town; state; zip; country, if not USA). Rows include First plaintiff (BROOKLYN FIRE DISTRICT), Additional plaintiff (EAST BROOKLYN FIRE DEPARTMENT, INC.), First defendant (JMN PROPERTIES, LLC), Additional defendant (BARBARA J. WILLIAMSON), Additional defendant (BREVIN PROPERTIES, LLC/AGENT FOR SERVICE: RICHARD O. POTHIER), and Additional defendant (TOWN OF BROOKLYN/BOARD OF FIRE COMMISSIONERS).

Total number of plaintiffs: 2 Total number of defendants: 4 [] Form JD-CV-2 attached for additional parties

Notice to each defendant

- 1. You are being sued. This is a summons in a lawsuit. The complaint attached states the claims the plaintiff is making against you.
2. To receive further notices, you or your attorney must file an Appearance (form JD-CL-12) with the clerk at the address above. Generally, it must be filed on or before the second day after the Return Date. The Return Date is not a hearing date. You do not have to come to court on the Return Date unless you receive a separate notice telling you to appear.
3. If you or your attorney do not file an Appearance on time, a default judgment may be entered against you. You can get an Appearance form at the court address above, or on-line at https://jud.ct.gov/webforms/.
4. If you believe that you have insurance that may cover the claim being made against you in this lawsuit, you should immediately contact your insurance representative. Other actions you may take are described in the Connecticut Practice Book, which may be found in a superior court law library or on-line at https://www.jud.ct.gov/pb.htm.
5. If you have questions about the summons and complaint, you should talk to an attorney.

The court staff is not allowed to give advice on legal matters.

Date 10/7/2021 Signed (Sign and select proper box) [X] Commissioner of Superior Court Name of person signing WILLIAM E. MCCOY
[] Clerk

If this summons is signed by a Clerk:
a. The signing has been done so that the plaintiff(s) will not be denied access to the courts.
b. It is the responsibility of the plaintiff(s) to ensure that service is made in the manner provided by law.
c. The court staff is not permitted to give any legal advice in connection with any lawsuit.
d. The Clerk signing this summons at the request of the plaintiff(s) is not responsible in any way for any errors or omissions in the summons, any allegations contained in the complaint, or the service of the summons or complaint.
For Court Use Only
File Date

I certify I have read and understand the above. Signed (Self-represented plaintiff) Date Docket Number

Item # 1

**ANNUAL REPORT OF
SPECIAL TAX DISTRICT**

District Name:
Brooklyn Five
District

**Report
Due Date
JULY 31**

RETURN TO TOWN/CITY CLERK

Address: <u>15 South Main St</u>	Type of District: City <input type="checkbox"/>	Service <input type="checkbox"/>
Town or City: <u>Brooklyn</u> Zip <u>06234</u>	Special Taxing: <input checked="" type="checkbox"/>	Other (specify) <input type="checkbox"/>

1. District Officials - Names and Business Addresses:

Presiding Officer (specify name & Title):	Business Address (include zip + 4):	Telephone:
<u>William Wheaton Sr.</u>	<u>21 Bailey St Brooklyn 06234</u>	<u>(860) 230 1256</u>
Vice President: <u>Ray Gallop</u>	<u>8A Front St Brooklyn 06234</u>	<u>(860) 382 2738</u>
Secretary:		()
District Clerk: <u>William Wheaton Jr.</u>	<u>21 Bailey St Brooklyn 06234</u>	<u>(860) 942 6332</u>
Treasurer: <u>Patrick Gauthier Sr.</u>	<u>431 South St. Brooklyn 06234</u>	<u>(860) 428 2612</u>
Tax Collector		()
Board of Directors/Commissioners/other: <u>Greg Metford</u>	<u>26 Nelson St Brooklyn 06234</u>	<u>(860) 774 3857</u>
<u>Marrivie Warrender</u>	<u>3 Bailey St Brooklyn 06234</u>	<u>(860) 208 4948</u>
<u>Robert Warrender</u>	<u>3 Bailey St Brooklyn 06234</u>	<u>(860) 208 4948</u>
<u>Richard Denomme</u>	<u>159 South Main St Brooklyn 06234</u>	<u>(860) 774 8816</u>
<u>Jon Livernoch</u>	<u>South Main St Brooklyn 06234</u>	<u>(860) 412 0160</u>
<u>Nicholas Provost</u>	<u>South Main St Brooklyn 06234</u>	<u>(860) 992 1199</u>

2. Date of District Annual Meeting: 5/2/22

3. Does the District have (please check, if yes):

Articles of Incorporation	<input type="checkbox"/>	By Laws	<input checked="" type="checkbox"/>
Constitution or Charter	<input type="checkbox"/>	Special Act	<input type="checkbox"/>
Ordinance(s)	<input type="checkbox"/>		

4. Annual Budget: \$ 64,418.00

5. Adopted mill rate: 1.75

6. Tax Levy: \$ 69,556.00

7. Does the District (please check, if yes):

Levy Taxes	<input checked="" type="checkbox"/>	Levy Special Assessments	<input type="checkbox"/>
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8. Date Created: 5/11/22

Completed by (please print legibly) <u>William Wheaton</u> <u>William Wheaton</u>	Title: <u>President</u>	Date: <u>5/11/22</u>
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Item #1



TOWN OF BROOKLYN

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

OFFICE OF SELECTMEN
(860) 779-3411 Option 2

TOWN CLERK
(860) 779-3411 Option 4

TAX COLLECTOR
(860) 779-3411 Option 5

ASSESSOR
(860) 779-3411 Option 6

RECEIVED
TOWN CLERK'S OFFICE
2022 AUG 18 PM 5:56
RECORDED VOL. PAGE

Board of Selectmen

Regular Meeting Minutes

Thursday, August 11, 2022

6:30pm via Zoom and in person

Clifford B. Green Memorial Center

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

Also Present: Heather Allen, Sandy Brodeur, Gil Maiato and Ken Dykstra

- 1. Call to Order:** A. Tanner called the meeting to order at 6:32pm.
- 2. Approve Minutes:** L. Brodeur made a motion to approve the minutes of 7/28/2022 as presented. J. Voccio seconded the motion. Motion passed 3-0.
- 3. Public Comment:** None
- 4. Appointments/Resignations:**

WPCA – L. Brodeur made a motion to accept Bob Kelleher's resignation from WPCA with regrets. J. Voccio seconded the motion. Motion passed 3-0.

L. Brodeur made a motion to appoint Charles Sczuroski, JR as a regular member to WPCA with a term expiring 2/01/2026. J. Voccio seconded the motion. Motion passed 3-0.

BOFC – L. Brodeur made a motion to appoint Patrick Gauthier as the East Brooklyn Representative from list received, with a term expiring 9/11/2023. J. Voccio seconded the motion. A list of three names was received from Chief Pepin. Pat has been the representative for years and was their first choice. Motion passed 3-0.

IWWC – L. Brodeur made a motion to reappoint Richard Oliverson as a regular member to Inland Wetlands with a term expiring 9/12/2025. J. Voccio seconded the motion. Motion passed 3-0.
- 5. Discussion on Financials:** Revenues: the opioid settlement is included in the miscellaneous revenue. The Fire Marshal inspections are over budget.
- 6. Discussion on Community Center Purchase:** A. Tanner states it was agreed upon to buy the Community Center from the Housing Authority, but the purchase never went forward. J. Voccio made a motion to continue with the purchase of the Community Center for \$1 from the Housing Authority and send it to Town Meeting. L. Brodeur seconded the motion. Motion passed 3-0.

Subject: EBFD
Date: Sunday, April 10, 2022 at 9:20:56 PM Eastern Daylight Time
From: Jenn Nemeth
To: mpodzalne@yahoo.com, Austin Tanner
Attachments: clipPreview.mp4

Austin and Mike,

I know Matt called Austin this weekend but I wanted to follow up myself to express how disappointed I am that the EFBD has filed a very lengthy continuance in our case. I know this is a little long but I usually let Matt advocate for me, and today I wanted to speak for myself.

As you know we have been dealing with fire department/district drama for quite some time now. For reference I looked back today and found that we engaged with our first lawyer to protect ourselves from them on May 20, 2020. That is 690 days ago for anyone keeping track.

690 days of unneeded stress.

My friend Wendy came to the shop the other day. Wendy and I grew up together. We met when we attended Village Green Preschool, and chose to stay local and run businesses. She owns Heirloom Foods in Danielson. She asked me "how did things ever wrap up with the fire department drama?" When I told her the case was still pending she was visibly shocked. Like me she can't believe that agents of the town are doing this to a small business in the town thag we've loved for so long.

Wendy's advice to me as she left was not unlike what I've heard from others: "sell the property, move your shops to a business friendly town and become the millionaires you deserve to be."

I've heard that sentiment a half dozen or more times in the last 690 days.

A small portion of me would do that in a heartbeat. Cut my losses, and move on to greener pastures. Except in my (nearly) 40 years here in Brooklyn I'm not ready to give up on it that fast. I'm the one who convinced Matt to move here to raise our family. I'm the one who always dreamed of running The Ice Box for the next generation of Brooklyn kiddos and asked him to make that happen with me. Now I ask him to be strong for me as I crumble under the weight of this stress we've found ourselves in.

I never expected my dream to turn into the 690+ day nightmare that is has.

So here we are in April, 2022. COVID, inflation, lawsuits, etc. have ravaged our finances. Any safety net we had for ourselves is long gone. We are relying on my 80 year old grandparents to help us stay afloat. We've gone months without paying our home mortgage, we sold Matt's car and have been a one car family for the past 5 months. I honestly don't know how much more we can withstand. 6,000+ a month for attorneys fees got old at some point in 2021...

Aside from bleeding money, I've gained 30+ lbs, I drink too much, I'm on antidepressants, and I shy away from any and every social interaction I might find myself in. I even shop out of town so I don't have to have people praise me for the great job I'm doing with the shop - for the town! Or god forbid ask me about said fire department drama. I have good days and bad of course but seriously. We don't deserve any of this.

The way I see it is their dragging it out because they know they're close to winning. We can't keep pouring from an empty cup. They have endless financial resources and we don't. The longer this takes the more likely we fold. I have to tell you guys. I can handle losing the case to them if it were to come to that. I cannot handle going out because they've financially ruined us.

Because I'm head for a mental breakdown my family booked us a trip to go to with them to Florida. We leave tomorrow and I'm really really trying to look forward to getting out of Brooklyn physically but I'm hoping for 10 days I can keep the town out of my mind.

I don't want to hate this town. I don't want to have thoughts of leaving it behind. I really don't want to entertain closing an iconic location like The Ice Box and leaving a gaping hole in our community.

I am sorry that you two are the brunt of my long overdue rant on this situation. My heart is broken and I don't know what else to do.

If you can help me at all these are the two things that can change everything for us:

1. To find a way for them not to drag this out a whole other summer (this is summer #3).
2. Again, I truly believe that Pat Gauthier is a danger to our family, our employees, and members of the community.

I have attached a short portion of video from the incident this weekend. I believe Austin heard the story behind it but if anyone wants more information I'm willing to share. His behavior this Saturday was a repeat of the Saturday that he was out with the tow truck. Sandy and Lou spoke with him during the tow truck incident and can confirm his alarming behavior.

If anyone has questions we'll be available by email or cell in Florida. Thank you for taking the time to hear my concerns and consider any action you might be able to take.

Jenn

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