

**BOARD OF SELECTMEN  
EMERGENCY SPECIAL MEETING MINUTES  
THURSDAY, APRIL 20, 2023, 7:15 PM  
SALEM TOWN HALL – CONFERENCE ROOM 1**

**The minutes submitted below have been filed in accordance with  
Section 1-225 of the CT General Statutes. They are subject to  
final approval with or without amendments by a vote of the Board of Selectmen.  
Approval and any such amendments will be detailed in subsequent minutes.**

**PRESENT**

Edward Chmielewski, Jr.  
Thomas (TJ) Butcher  
Ron LaBonte  
Kevin Lyden  
Pam Munro

**ABSENT**

*none*

**ALSO PRESENT**

Town Attorney Brian Estep  
Finance Specialist Lisa Jablonski

**CALL TO ORDER**

First Selectman Chmielewski called the meeting to order at 7:18 p.m.

**1. PLEDGE OF ALLEGIANCE**

**2. AGENDA**

**a. Gardner Lake Volunteer Fire Company Ambulance Status, Update, and Temporary Ambulance Replacement (Discussion)**

First Selectman Chmielewski reported that on Sunday, April 16, 2023, he was informed of a Motor Vehicle Accident on Saturday, April 15, 2023, at 9:21 p.m. The Gardner Lake Volunteer Fire Company (GLVFCO) Ambulance responded to a Motor Vehicle Accident to assist the Connecticut State Police. During the incident, an accident occurred in which the driver of the Ambulance hit a member of the GLVFCO Ambulance, running over the individual's foot. As a result of the Police Department's investigation, it was discovered that the registration for the Ambulance had expired on March 29, 2020. Under the guidance of the Connecticut State Police, he notified the GLVFCO Chiefs, Board of Directors, and the town's Supervisors and Fire Fighters of the expiration of their vehicle's registration – a violation of Connecticut General Statutes §14-12(a) regarding the operation of an unregistered motor vehicle while on duty. To maintain public safety, he prohibited the operation of the vehicle until they could ensure that it is registered and compliant with all of the necessary safety inspections. The Town of Salem should not be responsible for any claims, including insurance or workers' compensation claims, related to any incidents occurring while the violation remains intact. It is his understanding that Fire Marshal Tom Main has since been in contact with GLVFCO Chief Pete Silva and GLVFCO Board of Directors President Cheryl Philopena to secure an ambulance through a neighboring town to continue serving the town. A Certificate of Liability has been received. The Board of

Selectman, as the governing body of the town, will assist the Fire Company and ensure that the town's liability is kept at a minimum. This evening's Emergency Special Meeting was called to resolve a public safety emergency to discuss the status, plan, and process for the ambulance moving forward.

GLVFCO Chief Silva reported that he had received the same correspondence as the First Selectman regarding the accident and the lapsing of the vehicle's registration, which was unbeknownst to them. The ambulance was immediately taken out of service following the notification. The ambulance has since been inspected and has passed all of its safety inspections and is now registered. Out of an abundance of caution, they are keeping the ambulance out of service while they await the receipt of the parts to repair a minor issue with the parking brake. In the past, the Fire Company has borrowed the Mohegan (or other neighboring) Fire Company's spare ambulance, as needed, for prolonged ambulance repairs – a standard practice among Fire Companies. All of the paperwork has been sent to VFIS (Volunteer Firemen's Insurance Services, Inc.) and documentation stating that the GLVFCO is covered for any liabilities that occur during the use of the Mohegan Fire Company's vehicle was received.

Finance Specialist Jablonski stated that CIRMA (Connecticut Interlocal Risk Management Agency), the town's insurance carrier, requested a memo stating that the GLVFCO has entered into an agreement with the Mohegan Fire Company to borrow their ambulance.

First Selectman Chmielewski reported that, after speaking with Fire Marshal Main, he learned that it is common practice for fire companies to borrow and lend their vehicles. As a retired law enforcement officer, he expressed his understanding of the concept of sharing and mutual aid. However, at a town management level, there are concerns regarding the liabilities involved with the practice. He stated that the goal of this meeting was to gather the relevant parties together and inform the Board of Selectmen of the issues and authorize the town's full-time staff to pick up the vehicle and provide ambulance services for the town as soon as possible.

Selectman Lyden reminded them that the town funds the insurance for the Fire Companies, including the ambulance, through their respective budgets. The Mohegan Fire Company's Certificate of Insurance should include a note indicating that the Town of Salem, as well as the GLVFCO, is additionally insured to protect the town's employees while they are operating their ambulance.

GLVFCO Board of Directors President Philopena explained that fire apparatus is not required to be registered. Nevertheless, all of their vehicles undergo the required inspections, and registrations are obtained by the Department of Motor Vehicles and kept up-to-date. The registration for the ambulance expired on March 29, 2022, not 2020 as recorded on the DMV's online system. Due to the state's subsequent state's staffing shortages following the pandemic, all of the town's emergency vehicles are now inspected

bi-annually rather than annually. The vehicles were last inspected on December 3, 2021, and their registration was renewed immediately thereafter as the DMV will not renew the registration without documentation stating that the respective vehicles have passed their inspections. Neither the Fire Companies nor the town received (or overlooked) the notices/reminders sent by the DMV regarding the pending expirations. As a result, all of the town's fire apparatus expired on March 29, 2022. The current registration for the GLVFCO Ambulance was shown to the Board.

First Selectman Chmielewski concurred, stating that he learned earlier in the day that they are not legally required to register their fire apparatus and expressed his appreciation for the communication that is transpiring.

Selectwoman Munro clarified that they will be borrowing an ambulance from the Mohegan Fire Company of the Town of Montville, which is unrelated to the Mohegan Tribe.

GLVFCO Chief Silva and Board of Directors President Philopena agreed to provide a memo stating that the GLVFCO Ambulance has entered into an agreement with the Mohegan Fire Company to borrow and use their ambulance while their ambulance is out of service. In addition, they will contact the Mohegan Fire Company to request that the Town of Salem, in addition to the GLVFCO, be additionally insured on their Certificate of Insurance.

GLVFCO Board of Directors President Philopena explained the accident that occurred during the aforementioned motor vehicle accident when her foot was run over. She expressed her appreciation to the town for funding the purchase of quality PPE (personal protective equipment) equipment as the boots were able to sustain the weight of the ambulance and save her foot from serious injury.

First Selectman Chmielewski thanked them for their service and expressed his appreciation to everyone for attending the meeting on short notice. He was pleased with the resolution of the matter and was confident that they would be able to resume normal operations tomorrow. Selectman LaBonte also expressed his appreciation to GLVFCO Chief Silva and Fire Marshal Main for their responsiveness.

### **3. ADJOURNMENT**

**M/S/C: Lyden/LaBonte, to adjourn the meeting at 7:48 p.m. Discussion: None. Voice vote, 5-0, all in favor. Meeting adjourned.**

Respectfully Submitted by: Agnes T. Miyuki, Recording Secretary for the Town of Salem

**A VIDEO RECORD OF THE MEETING CAN BE FOUND ON THE TOWN'S WEBSITE UNDER BOARDS & COMMISSIONS – BOARD OF SELECTMEN – MEETING VIDEOS.**