

TO: Freedom of Information Commission
FROM: Mary E. Schwind
RE: Minutes of the Commission's regular meeting of July 13, 2022
DATE: July 15, 2022

A regular meeting of the Freedom of Information Commission was held on July 13, 2022. Due to public health concerns surrounding the COVID-19 pandemic, the Commission meeting of July 13, 2022 was conducted solely through the use of electronic equipment. The meeting convened at 2:01 p.m. with the following Commissioners present:

Commissioner Owen Eagan, presiding
Commissioner Matthew Streeter
Commissioner Christopher P. Hankins
Commissioner Stephen Fuzesi Jr.

Also present were staff members Colleen M. Murphy, Kathleen K. Ross, Valicia D. Harmon, Paula S. Pearlman, Danielle L. McGee, C. Zack Hyde, Jennifer F. Miller, Kate Smith, Barbara Housen, Cindy Cannata, Linda Fasciano, and Mary E. Schwind.

The Commissioners voted 3-0 to approve the Commission's regular meeting minutes of June 8, 2022. Commissioner Fuzesi abstained.

The Commissioners voted 3-0 to approve the Commission's regular meeting minutes of June 22, 2022. Commissioner Eagan abstained.

Those in attendance were informed that the July 13, 2022, regular meeting of the Commission was being recorded.

[Docket #FIC 2020-0553](#) Gregory Smith v. Vanessa Dorantes, Commissioner, State of Connecticut, Department of Children and Families; and State of Connecticut, Department of Children and Families

The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2021-0053](#) Daryl Valentine v. Angel Quiros, Commissioner, State of Connecticut, Department of Correction; and State of Connecticut, Department of Correction

The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2021-0402](#) Lonnie Owen v. Rebecca Garcia, Chief, Police Department, City of Bridgeport; Police Department, City of Bridgeport; and City of Bridgeport

Lonnie Owen appeared on his own behalf. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2021-0403](#) Travis Armstrong v. James Rovella, Commissioner, State of Connecticut, Department of Emergency Services and Public Protection; and State of Connecticut, Department of Emergency Services and Public Protection

Travis Armstrong appeared on his own behalf. Attorney Colin Milne appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2021-0450](#) Travis Armstrong v. James Rovella, Commissioner, State of Connecticut, Department of Emergency Services and Public Protection; and State of Connecticut, Department of Emergency Services and Public Protection

Travis Armstrong appeared on his own behalf. Attorney Colin Milne appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2021-0408](#) Peter Sevetz v. Board of Selectmen, Town of Hartland; and Town of Hartland

Peter Sevetz appeared on his own behalf. Attorney Nicholas Vegliante appeared on behalf of the respondents. The Commissioners unanimously voted to amend the Hearing Officer's Report. The Commissioners unanimously voted to adopt the Hearing Officer's Report as amended.* The proceedings were digitally recorded.

[Docket #FIC 2021-0420](#) Stephen Kumnick v. President, Board of Directors, Chapman Beach Tax District; and Board of Directors, Chapman Beach Tax District

The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2021-0427](#) Jeffrey Scott v. Human Resources, State of Connecticut, Department of Mental Health and Addiction Services, Whiting Forensic Hospital; and State of Connecticut, Department of Mental Health and Addiction Services

Jeffrey Scott appeared on his own behalf. The Commissioners unanimously voted to adopt the Hearing Officer's Report.

[Docket #FIC 2021-0556](#) Robert Cushman v. Christopher Chute, Chief, Police Department, City of New Britain; Police Department, City of New Britain; and City of New Britain

The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2021-0557](#) Robert Cushman v. Christopher Chute, Chief, Police Department, City of New Britain; Police Department, City of New Britain; and City of New Britain

The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2021-0577](#) Molly Salafia v. Director of Communications, Middletown Public Schools; and Middletown Public Schools

The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2021-0599](#) Molly Salafia v. Chairman, Board of Education, Middletown Public Schools; and Board of Education, Middletown Public Schools

The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2021-0607](#) Molly Salafia v. Chair, Board of Education, Middletown Public Schools; and Board of Education, Middletown Public

Schools

The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2021-0586](#) Justin Hanna v. Chief, Police Department, Town of Old Saybrook; Police Department, Town of Old Saybrook; and Town of Old Saybrook

Attorney Patrick McHale appeared on behalf of the respondents. The Commissioners unanimously voted to amend the Hearing Officer's Report. The Commissioners unanimously voted to adopt the Hearing Officer's Report as amended.* The proceedings were digitally recorded.

[Docket #FIC 2021-0616](#) Shem Brijbilas v. Commissioner, State of Connecticut, Department of Correction; and State of Connecticut, Department of Correction

Shem Brijbilas appeared on his own behalf. Attorney Tracie Brown appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2021-0662](#) Shem Brijbilas v. Commissioner, State of Connecticut, Department of Correction; and State of Connecticut, Department of Correction

Attorney Tracie Brown appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2021-0717](#) Socorro Barron v. Frank Coyle, Chairman, Housing Authority, Town of Ridgefield; and Housing Authority, Town of Ridgefield

Socorro Barron appeared on her own behalf. Attorney Jeffrey Mastrianni appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2022-0068](#) John Templon v. Counsel, State of Connecticut, Central Connecticut State University; and State of Connecticut, Central Connecticut State University

The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

Colleen M. Murphy reported that staff continues to work on plans for the return to in-person contested case hearings and in-person Commission meetings. She also stated that the change to in-person proceedings will likely occur in September 2022.

The Commission unanimously voted to designate Lorraine Walker as Acting Clerk of the Commission.

Colleen M. Murphy reported that Attorney Kevin Munn has been hired as a Staff Attorney and will be starting at the Commission at the end of the month.

The meeting was adjourned at 4:49 p.m.

Mary E. Schwind

MINREGmeeting 07132022/mes/07152022

* See attached for amendments

AMENDMENTS

Docket #FIC 2021-0408 Peter Sevetz v. Board of Selectmen, Town of Hartland; and
Town of Hartland

Paragraph 9 of the Hearing Officer's Report is amended as follows:

9. It is found that the minutes of the June 14 meeting indicated that a motion was made to move the meeting into executive session and that an executive session took place between 8:40 pm and 8:59 pm. It is found, however, that the minutes do not reflect the **REASON FOR THE** vote that occurred regarding the decision to hold an executive session, in accordance with the requirements of §1-225(a), G.S.¹, or who attended the executive session, in accordance with §1-231(a), G.S.

Paragraph 14 of the Hearing Officer's Report is amended as follows:

14. It is found that the respondent board did not post the minutes of its **REGULAR** [special] meeting on its website.

Docket #FIC 2021-0586 Justin Hanna v. Chief, Police Department, Town of Old
Saybrook; Police Department, Town of Old Saybrook; and
Town of Old Saybrook

Paragraph 26 of the Hearing Officer's Report is amended as follows:

26. With regard to the respondents' claims that disclosure of the exit interview would be defamatory and otherwise harmful to the reputation of Chief Spera, [the Commission notes that although some of the information contained in the in camera records may be harmful to the chief's reputation and that of the respondent police department itself,] whether or not disclosure of certain information is harmful to reputation is not the legal standard set forth in Perkins.

¹ The Commission notes that, because §1-225(f), G.S., requires a public agency to "vote" and "state the reason" for an executive session in order to move a public meeting into executive session, these requirements trigger the provisions of §1-225(a), G.S., which section requires any vote that occurs during a public meeting to be recorded in the meeting minutes. See ¶¶ 3 and 5, above.