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FREEDOM OF INFORMATION



Connecticut Freedom of Information Commission • 18-20 Trinity Street, Suite 100 • Hartford, CT 06106
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Deanna Bouchard
Complainant(s)
against

Notice of Meeting

Docket #FIC 2017-0358

Arthur Shilosky, First Selectman, Town of Colchester;
Tricia Dean, FOI Coordinator, Town of Colchester; and
Town of Colchester

Respondent(s)

October 4, 2017

Transmittal of Proposed Final Decision

In accordance with Section 4-179 of the Connecticut General Statutes, the Freedom of Information Commission hereby transmits to you the proposed finding and decision prepared by the hearing officer in the above-captioned matter.

This will notify you that the Commission will consider this matter for disposition at its meeting which will be held in the Freedom of Information Commission Hearing Room, 18-20 Trinity Street, 1st floor, Hartford, Connecticut, at **2:00 p.m. on Wednesday, October 25, 2017**. At that time and place you will be allowed to offer oral argument concerning this proposed finding and order. Oral argument shall be limited to ten (10) minutes. For good cause shown, however, the Commission may increase the period of time for argument. A request for additional time must be made in writing and should be filed with the Commission **ON OR BEFORE October 13, 2017**. Such request **MUST BE (1) copied to all parties, or if the parties are represented, to such representatives, and (2) include a notation indicating such notice to all parties or their representatives.**

Although a brief or memorandum of law is not required, if you decide to submit such a document, an **original and fourteen (14) copies** must be filed **ON OR BEFORE October 13, 2017**. **PLEASE NOTE: Any correspondence, brief or memorandum directed to the Commissioners by any party or representative of any party MUST BE (1) copied to all parties, or if the parties are represented, to such representatives, (2) include a notation indicating such notice to all parties or their representatives and (3) be limited to argument. NO NEW EVIDENCE MAY BE SUBMITTED.**

If you have already filed a brief or memorandum with the hearing officer and wish to have that document distributed to each member of the Commission, it is requested that **fifteen (15) copies** be filed **ON OR BEFORE October 13, 2017** and that **notice be given to all parties or if the parties are represented, to their representatives, that such previously filed document is being submitted to the Commissioners for review.**

By Order of the Freedom of Information Commission

Wendy R.B. Paradis
Acting Clerk of the Commission

Notice to: Deanna Bouchard
Attorney Matthew D. Ritter

FIC# 2017-0358/ITRAVDH//TAHWRBP/2017-10-4

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Report of Hearing Officer

Deanna Bouchard,

Complainant

against

Docket #FIC 2017-0358

Arthur Shilosky, First Selectman,
Town of Colchester; Tricia Dean,
FOI Coordinator, Town of Colchester;
and Town of Colchester,

Respondents

September 8, 2017

The above-captioned matter was scheduled to be heard as a contested case on September 8, 2017 at 11:00 A.M., at which time the respondents appeared, but the complainant did not appear to prosecute the case.

The hearing officer notes that Attorney Matthew D. Ritter, counsel for the respondents, appeared at the hearing with a witness. Specifically, it is noted that Attorney Ritter appeared with Ms. Tricia Dean, Executive Assistant to the First Selectman for the Town of Colchester. Attorney Ritter represented that he had spent considerable time reviewing records, meeting with his witness and generally preparing for the contested case hearing. Attorney Ritter further represented that he had spent approximately five hours of time working on matters related to this case. The hearing officer further notes that Ms. Dean's appearance at the hearing meant that she missed a half day of work. In addition, it took Ms. Dean thirty-five minutes to travel from Colchester to arrive at the hearing on time, only to have a three minute hearing and travel back to Colchester.

It is difficult to understand why, with all of the available means of technology, the complainant failed to notify the Commission that the hearing was not necessary.

The following order by the Commission is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. The complaint is hereby dismissed with prejudice.
2. The complainant is admonished for her failure to appear at the hearing in this matter, which failure resulted in a waste of scarce state and local resources.



Valicia Dee Harmon
as Hearing Officer