

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Maurice Scioletti,

Complainant

against

Docket #FIC 2019-0658

Director, Department of Human Resources,
Town of Stratford; Department of Human
Resources, Town of Stratford; Finance
Director, Department of Finance, Town of
Stratford; Department of Finance, Town of
Stratford; and Town of Stratford,

Respondents

February 24, 2021

The above-captioned matter was heard as a contested case on January 21 and March 2, 2020, at which times the complainant and the respondents appeared, stipulated to certain facts, and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record, the following facts are found and conclusions of law are reached:

1. The respondents are public agencies within the meaning of §1-200(1), G.S.
2. By letter of complaint filed October 30, 2019,¹ the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by denying his request for certain public records associated with the funding for Workers Compensation.
3. Specifically, it is found that the complainant made an October 11, 2019 request to the respondents for:

Written material showing how the town funds line item
01151 6621 workers compensation including in-house
emails. Any and all generated revenue and its sources.

¹ On March 25, 2020, the Governor issued Executive Order 7M, thereby suspending the provisions of Conn. Gen. Stat. Sec. 1-206(b)(1), which requires the Freedom of Information Commission to hear and decide an appeal within one year after the filing of such appeal. Executive Order 7M is applicable to any appeal with the Commission on the issuance date and to any appeal filed on or after such date, for the duration of the current public health and civil preparedness emergency. Consequently, the Commission retains jurisdiction.

Correspondence with state officials. Written expenditures.
All line item transfers, including directives associated.

4. Additionally, is found that the complainant made a similar October 11, 2019 request to the respondents for:

Any and all invoices, documents, emails, communications which determine the cost for health insurance coverage for retirees and active employees. In addition, the same information for family coverage. The numericals and formulas involved. Documents that involve Anthem's role in the entire process. I would like the past five years' worth of these items. Please include payee/vendor invoices and receipts.

5. It is found that the respondents on January 10, 2019 provided the complainant with copies of all records responsive to his two requests described in paragraphs 3 and 4, above.

6. Section 1-200(5), G.S., provides:

"Public records or files" means any recorded data or information relating to the conduct of the public's business prepared, owned, used, received or retained by a public agency, or to which a public agency is entitled to receive a copy by law or contract under section 1-218, whether such data or information be handwritten, typed, tape-recorded, printed, photostated, photographed or recorded by any other method.

7. Section 1-210(a), G.S., provides in relevant part:

Except as otherwise provided by any federal law or state statute, all records maintained or kept on file by any public agency, whether or not such records are required by any law or by any rule or regulation, shall be public records and every person shall have the right to (1) inspect such records promptly during regular office or business hours, (2) copy such records in accordance with subsection (g) of section 1-212, or (3) receive a copy of such records in accordance with section 1-212.

8. Section 1-212(a)(1), G.S., provides in relevant part: "Any person applying in writing shall receive, promptly upon request, a plain or certified copy of any public record."

9. It is found that the records provided to the complainant are public records within the meaning of §§1-200(5), 1-210(a), and 1-212(a)(1), G.S.

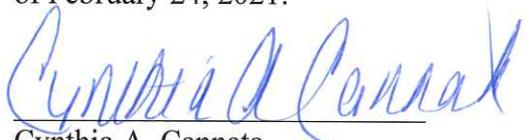
10. At the hearing, the complainant maintained that the respondents did not provide him with records that addressed the questions raised in his two requests, including, for example, what documents are involved in determining the price of health care.

11. It is concluded, however, that the respondents provided all responsive public records they maintain, and that they therefore did not violate the FOI Act as alleged.

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

1. The complaint is dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of February 24, 2021.



Cynthia A. Cannata
Acting Clerk of the Commission

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

MAURICE SCIOLETTI, 940 Chapel Street, Stratford, CT 06614

DIRECTOR, DEPARTMENT OF HUMAN RESOURCES, TOWN OF STRATFORD; DEPARTMENT OF HUMAN RESOURCES, TOWN OF STRATFORD; FINANCE DIRECTOR, DEPARTMENT OF FINANCE, TOWN OF STRATFORD; DEPARTMENT OF FINANCE, TOWN OF STRATFORD; AND TOWN OF STRATFORD c/o Attorney Byran L. LeClerc, and Attorney Alfred P. Bruno, Berchem Moses, P.C., 75 Broad Street, Milford, CT. 06460



Cynthia A. Cannata
Acting Clerk of the Commission