

STATE OF CONNECTICUT
FREEDOM OF INFORMATION COMMISSION

In the Matter of a Complaint by

FINAL DECISION

Richard Cooper,

Complainant

against

Docket # FIC 2024-0473

Chair, Technology Subcommittee, Town Council, Town of Southington; Technology Subcommittee, Town Council, Town of Southington; Chair, Town Council, Town of Southington; Town Council, Town of Southington; and Town of Southington,

Respondents

July 23, 2025

The above-captioned matter was heard as a contested case on January 29, 2025, at which time 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 August 13, 2024, the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act. Specifically, the complainant alleged that the respondents did not provide a “Meeting ID” on the agenda for the August 13, 2024 meeting of the Technology Subcommittee of the Town Council (the “respondent Subcommittee”), and did not provide a physical location for members of the public to attend the meeting who do not have access to electronic equipment.
3. Section 1-225(a), G.S., provides, in relevant part, that “[t]he meetings of all public agencies, except executive sessions ... shall be open to the public.”
4. Section 1-225a, G.S., provides, in relevant part, that:
 - (a) ... On and after July 1, 2021, a public agency may hold a public meeting that is accessible to the public by means of electronic equipment or by means of electronic equipment in conjunction with an in-person meeting, in accordance with the provisions of this section. Not less than forty-eight hours before any public agency ... conducts a regular meeting by means of electronic

equipment, such agency ... shall post a notice that such agency intends to conduct the meeting solely or in part by means of electronic equipment (1) in the agency's regular office or place of business ... Such notice and agenda shall include instructions for the public, to attend and provide comment or otherwise participate in the meeting, by means of electronic equipment or in person, as applicable and permitted by law. Any such notice and agenda shall be posted in accordance with the provisions of section 1-225.

- (b) Any public agency that conducts a meeting, other than an executive session or special meeting, as described in this section, solely by means of electronic equipment, shall (1) provide any member of the public (A) upon a written request submitted not less than twenty-four hours prior to such meeting, with a physical location and any electronic equipment necessary to attend such meeting in real-time
- (c) Any public agency other than the General Assembly that conducts a special meeting shall include in the notice of such meeting whether the meeting will be conducted solely or in part by means of electronic equipment and, not less than twenty-four hours prior to such meeting, shall post such notice and an agenda of the meeting in accordance with the provisions of subsection (d) of section 1-225. If such special meeting is to be conducted by means of electronic equipment, such notice and agenda shall include instructions for the public, by means of electronic equipment or in person, to attend and provide comment or otherwise participate in the meeting, as applicable and permitted by law. (Emphasis added.)

5. It is found that the respondent Subcommittee issued a notice and agenda for an August 13, 2024 meeting at 10:30 a.m., to be convened solely by means of electronic equipment, via Zoom. It is found that the notice and agenda for such meeting was received and filed with the Town Clerk on July 25, 2024, at 8:30 a.m.

6. It is found that the notice and agenda included the following information:

Tuesday, August: 13, 2024
10:30am
Zoom Virtual
Join Zoom Meeting
<https://us06web.zoom.us/j/81580375566?pwd=ivx0PAcFaBPi6GD5IA2bl35WLYiF3X.1>

7. It is found that, by email dated August 13, 2024, at 6:42 a.m., *almost four hours before the start of the meeting*, the complainant contacted the chair of the respondent Subcommittee, writing "I am not able to find the meeting passcode to join this meeting at 10:30. The link is in the agenda but there is no code. Adopting the attitude this government had I can

only assume it is another civil rights violation meant to stop people from participating in democracy – particularly me. So I will have to add this to the list of times Southington violated the law and tried to get away with it. [I]f the agenda is not updated in time I will be live streaming the meeting and I will absolutely be collecting evidence [i]f I am kept out.”

8. It is also found that, by email dated August 13, 2024, at 8:22 a.m., the chair of the respondent Subcommittee replied, providing the Zoom weblink, a Meeting ID, and an Access Code, and writing: “Here are the credentials to this meeting. I’ve also requested these be posted for anyone else who might need them. Thanks!!”¹

9. Notwithstanding the aforementioned communications, described in paragraphs 7 and 8, above, during the hearing, the respondents’ witness, the chair of the Technology Subcommittee, testified that she had no knowledge of any of the Subcommittee members or any member of the public being unable to access the August 13, 2024, meeting, via Zoom, without the Member ID and Access Code.

10. It is found that the complainant filed the instant complaint with the Commission on August 13, 2024, at 10:18 a.m., twelve minutes before the meeting was scheduled to commence.

11. At the hearing, the complainant testified, and it is found, that he intended to livestream the meeting of the respondent Subcommittee on his YouTube Channel, and that he did not intend to attend the meeting beginning at 10:30 a.m.

12. There is no evidence in the record that the complainant attempted to access the meeting at or after 10:30 a.m., utilizing the Meeting ID and Access Code, or not, and was denied access to the meeting.

13. It is also found that the complainant did not request that the respondents provide him with a physical location and electronic equipment in order to attend the meeting.²

14. Based on all of the foregoing, it is found that the complainant was not denied access to the August 13, 2024 meeting of the respondent Subcommittee.

15. Accordingly, it is concluded that the respondents did not violate §§ 1-225(a) and 1-225a, G.S., in this case, as they did not deny the complainant access to the August 13, 2024 meeting of the respondent Subcommittee.

16. However, the Commission notes that in instances where a Meeting ID and Access Code are required in order to attend a meeting by means of electronic equipment, the meeting

¹ The Commission notes that the email communications described in paragraphs 7 and 8, above, were filed after the hearing pursuant to an order of the hearing officer. Such emails have been admitted into evidence as Complainant’s Exhibit A: Emails dated August 13, 2024.

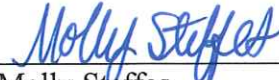
² It is unclear from the record whether the August 13, 2024, meeting of the respondent Subcommittee constituted a “regular” or “special” meeting. The Commission notes that § 1-225a(b) does not apply to special meetings of public agencies. However, because the complainant did not request that the respondents provide him with a physical location and electronic equipment in order to attend the August 13, 2024, meeting, further consideration of this issue is not warranted.

notice and agenda must include such information, in accordance with §§ 1-225 and 1-225a, G.S.

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.

Approved by Order of the Freedom of Information Commission at its regular meeting of July 23, 2025.




Molly Steffes
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:

RICHARD COOPER, 79 Barbara Lane, Plantsville, CT 06479

CHAIR, TECHNOLOGY SUBCOMMITTEE, TOWN COUNCIL, TOWN OF SOUTHLINGTON; TECHNOLOGY SUBCOMMITTEE, TOWN COUNCIL, TOWN OF SOUTHLINGTON; CHAIR, TOWN COUNCIL, TOWN OF SOUTHLINGTON; TOWN COUNCIL, TOWN OF SOUTHLINGTON; AND TOWN OF SOUTHLINGTON,
c/o Attorney Louis J. Martocchio, Martocchio & Oliveira, LLC, 191 Main Street,
Southington, CT 06489


Molly Steffes
Acting Clerk of the Commission