

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Sandra Landolina,

Complainant

against

Docket #FIC 2024-0228

First Selectwoman, Board of Selectmen,
Town of East Granby; Board of
Selectmen, Town of East Granby; and
Town of East Granby,

Respondents

March 26, 2025

The above-captioned matter was heard as a contested case on September 10, 2024, at which time the complainant and respondents appeared 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. It is found that on April 3, 2024, the complainant made a request to the Director of Finance for the Town of East Granby (the “Town”) and the respondent First Selectwoman seeking:

copies of all budget [worksheet] documents pertaining only to the proposed [Board of Selectmen] 3.37% budget increase directive. This would include worksheets and documents that show the math and details of how proposed FY25 numbers were arrived at from the FY24 [line-item] amounts. It should also include details of any lost or added services and personnel. Please also include the budget savings projections for pulling fuel budgets from other departments into DPW, along with the amounts of fuel budgets by department that are absorbed in this transfer.¹

¹The Commission notes that between March 21, 2024, and April 3, 2024, the complainant corresponded with various Town Officials including the respondent First Selectwoman and the Town’s Director of Finance. This

3. It is found that on April 4, 2024, the respondent First Selectwoman acknowledged the complainant's April 3 request via email and indicated that they were processing the request.

4. It is found that on April 18, 2024, the complainant sent a follow-up email to the respondent First Selectwoman, the Town's Director of Finance, and others seeking an update regarding the status of her request.

5. By letter of complaint received and filed on April 24, 2024, the complainant appealed to this Commission alleging that the respondents violated the Freedom of Information ("FOI") Act by failing to disclose the records described in paragraph 2, above.

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

"[p]ublic 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, videotaped, printed, photostated, photographed or recorded by any other method.

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

[e]xcept 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 . . . (3) receive a copy of such records in accordance with section 1-212.

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

9. It is concluded that the records described in paragraph 2, above, to the extent they exist and are maintained by the respondents, are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

correspondence consisted of questions regarding how the respondent Board of Selectmen arrived at their FY25 proposed budget. The FOI Act, however, requires agencies to provide public records, not answer questions. To the extent that complainant's prior communication with the respondents could be considered a request for records, it is found that those requests were encompassed in her April 3 request. The Commission further notes that the respondents published several budget documents on the Town's website (i.e., Respondents' Exhibits 1 through 5), some of which were reviewed by the complainant prior to making her April 3 request. Nevertheless, it is found that the complainant expressed that such records were insufficient as they did not contain "the math and details showing how FY25 numbers were arrived at from FY24 amounts for both [Board of Selectmen] budget proposals."

10. The respondents maintain that the complainant failed to name the Town's Director of Finance as a respondent in her complaint, and thus the case must be dismissed as he is the individual to whom the complainant made her April 3 request.

11. As noted in paragraph 2, above, the complainant made her April 3 request to both the Town's Director of Finance and the First Selectwoman.

12. It is found, however, that in her April 24 complaint to this Commission, the complainant: (i) named two public agencies – the Town's Board of Selectmen and First Selectwoman; and (ii) did not reference the Town's Director of Finance.

13. As the Town's Board of Selectmen and the First Selectwoman were the only public agencies identified in the complainant's April 24 complaint, such agencies are the only respondents in the instant matter.

14. Accordingly, the Commission lacks jurisdiction to consider the records of the Town's Director of Finance in the instant matter.² See Docket #FIC 2022-0530, Marc Lemcke v. First Selectwoman, Town of Westport et al., ¶ 26 (October 25, 2023) (“the Commission may not adjudicate . . . claims of exemptions raised by public agencies that are not parties to the instant matter.”)

15. Although the Commission may not consider the records of the Town's Director of Finance, the Commission does, however, have jurisdiction to adjudicate claims relating to records maintained by the respondents at the time of the complainant's April 3 request.

16. The respondents testified, and it is found that the Town's Director of Finance maintains a working spreadsheet which he routinely modifies to develop various “budget scenarios.”

17. It is further found that the Town's Director of Finance saves versions of the working spreadsheet depicting different budget scenarios.

18. It is found that the saved versions of the Town's Director of Finance's working spreadsheets reasonably constitute a “budget worksheet,” as described in the complainant's April 3 request.

19. It is found, however, that the Town's Director of Finance did not provide copies of any version of the detailed budget spreadsheets to the respondents in this matter. The respondents testified and, it is found, that the only records provided to the respondents by the Town's Director of Finance were budget summaries that do not include the details sought by the complainant.

² The Commission is aware that the complainant is pro se, and that defect in her complaint was likely inadvertent. While arguable imperfections in the form of a request or complaint are not a basis for dismissal, the defect in this case implicated the Commission's jurisdiction and significantly limited its scope of review. The Commission reminds the complainant that she may submit another request to the Town's Director of Finance and, if such request is denied, she may file another complaint with this Commission naming the Town's Director of Finance as a respondent.

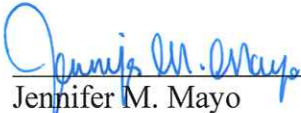
20. Accordingly, it is found that such records were not maintained by the respondents at the time of the complainant's April 3 request.

21. It is concluded, therefore, that the respondents did not violate the disclosure provisions of §§1-210(a) and 1-212(a), G.S., by not providing the complainant with the spreadsheets maintained exclusively by the Town's Director of Finance.

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 March 26, 2025.

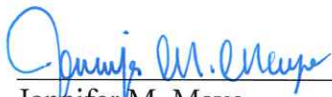

Jennifer M. Mayo
Acting Clerk of the Commission

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:

SANDRA LANDOLINA, 80 Newgate Road, East Granby, CT 06026

**FIRST SELECTWOMAN, BOARD OF SELECTMEN, TOWN OF EAST GRANBY;
BOARD OF SELECTMEN, TOWN OF EAST GRANBY; AND TOWN OF EAST
GRANBY**, c/o Attorney Scott R. Lingenfelter, Law Offices of Marc N. Needelman, 800 Cottage
Grove Road, Suite 313, Bloomfield, CT 06002-2343



Jennifer M. Mayo
Acting Clerk of the Commission