

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Sheri Speer,

Complainant

against

Docket #FIC 2020-0158

Mayor, City of Norwich;
Department of Public Works,
City of Norwich; and City Manager,
City of Norwich,

Respondents

May 14, 2025

The above-captioned matter was heard as a contested case on January 11, 2021, March 4, 2021, July 1, 2021, and August 5, 2021, at which times the complainant and the respondents appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint. Due to the COVID-19 pandemic and the state's response to it, the hearings were conducted through the use of electronic equipment (remotely) pursuant to the Governor's Executive Order 7B (Mar. 14, 2020), which suspended the requirement to conduct public meetings in person and pursuant to §149 of Public Act 21-2 (June Spec. Sess.), respectively.

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, by letter dated February 13, 2020, the complainant requested that the Mayor of the City of Norwich (the "Mayor") and the Norwich City Council (the "City Council") provide her with copies of the following records:

...all emails, letters, faxes and any other written documents sent or received by Attorney Donna Skaats or Attorney Aimee Wickless to or from your department that contains my name, Sheri Speer, or either my first name or last name, between January 1, 2013 to the present.

3. It is found that, by a second letter also dated February 13, 2020, the complainant requested that the Office of the City Manager for the City of Norwich (the "City Manager") provide her with copies of the following records:

...all emails, letters, faxes and any other written documents sent or received by Attorney Donna Skaats or Attorney Aimee Wickless to or from your department that contains my name, Sheri Speer, or either my first name or last name, between January 1, 2013 to the present.

4. It is found that, by a third letter also dated February 13, 2020, the complainant requested that the Norwich Department of Public Works (the "Department of Public Works") provide her with copies of the following records:

...all emails, letters, faxes and any other written documents sent or received by Attorney Donna Skaats or Attorney Aimee Wickless to or from your department that contains my name, Sheri Speer, or either my first name or last name, between January 1, 2013 to the present.

5. It is found that, as part of her duties, the City Clerk for the City of Norwich (the "City Clerk") was assigned to coordinate the responses to Freedom of Information ("FOI") requests on behalf of certain public agencies within the City.

6. It is found that, on February 21, 2020, the City Clerk received the requests set forth in paragraphs 2 through 4, above, along with five additional and identical requests also dated February 13, 2020, which requests were directed to:

- a. the Building Department;
- b. the City Clerk's Office;
- c. the Department of Human Resources;
- d. the Office of the Tax Collector, and
- e. the Office of the Corporation Counsel.

7. In total, it is found that the complainant issued eight separate requests for copies of records dated February 21, 2020, in which she sought records from nine separate public agencies within the City of Norwich.

8. It is found that, by letter dated February 21, 2020, the City Clerk acknowledged receipt of such requests on behalf the respondents. It is further found that, on February 21, 2020, the City Clerk either hand-delivered or emailed the requests to the appropriate public agencies for processing.

9. By letter dated March 27, 2020, postmarked March 27, 2020, and filed March 30, 2020¹, the complainant appealed to this Commission, alleging that the respondents violated the FOI Act by failing to provide her with the requested records.

10. Section 1-206, G.S., provides, in relevant part, as follows:

(b)(1) Any person denied the right to inspect or copy records . . . may appeal therefrom to the Freedom of Information Commission, by filing a notice of appeal with said commission. A notice of appeal shall be filed not later than thirty days after such denial...For purposes of this subsection, such notice of appeal shall be deemed to be filed on the date it is received by said commission or on the date it is postmarked, if received more than thirty days after the date of the denial from which such appeal is taken....

(Emphasis supplied).

11. Because there is no evidence in the record from which it could be found that any of the *named* respondents communicated with the complainant² or that the complainant communicated with any of the *named* respondents between February 21, 2020 (the date on which the complainant's requests were acknowledged) and March 27, 2020 (the date that the complainant filed the instant complaint), on March 6, 2025, the hearing officer issued an order directing the complainant either to confirm that she had no additional communications with any of the named respondents after receiving the acknowledgement and prior to filing her complaint with the Commission, or file an affidavit detailing the nature of any such communications and providing the dates when such communications took place.

12. By email dated and received March 14, 2025, the complainant confirmed that her last communication with the named respondents prior to the filing of her complaint in

¹ On March 25, 2020, the Governor issued Executive Order 7M, thereby suspending the provisions of Conn. Gen. Stat. §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 pending with the Commission on the issuance date and to any appeal filed on or after such date, through June 30, 2021. Consequently, the Commission retains jurisdiction over this matter.

² The Commission notes that there was an additional communication by the City Clerk to the complainant on February 26, 2020, wherein the City Clerk indicated that, in response to the request set forth in paragraph 6. b, above, the City Clerk did not maintain any records responsive to such request, and an additional communication by the Administrative Coordinator of Norwich Human Services to the complainant on February 27, 2020, wherein the Administrative Coordinator indicated that, in response to the request set forth in paragraph 6.c, above, Norwich Human Services did not maintain any records responsive to such request. However, neither the City Clerk nor the Administrative Coordinator are named respondents in this matter.

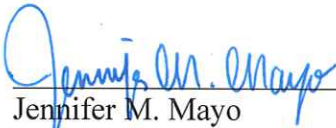
this matter occurred on February 21, 2020.

13. It is found that, because the complainant's last communication with the named respondents occurred on February 21, 2020, the complainant was required to file her complaint with the Commission by March 22, 2020. Because the complainant did not file her complaint in this case until March 27, 2020, it is concluded that the Commission lacks subject matter jurisdiction over this matter.

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

1. The complainant is hereby dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of May 14, 2025.



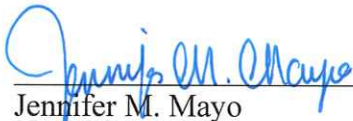
Jennifer M. Mayo
Acting Clerk of the Commission

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:

SHERI SPEER, 151 Talman Street, Norwich, CT 06360

MAYOR, CITY OF NORWICH; DEPARTMENT OF PUBLIC WORKS, CITY OF NORWICH; AND CITY MANAGER, CITY OF NORWICH, c/o Attorney Michael P. Carey, Suisman, Shapiro, Wool, Brennan, Gray & Greenberg, PO Box 1591, New London, CT 06320



Jennifer M. Mayo
Acting Clerk of the Commission