

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Lori Boyko,

Complainant

against

Docket #FIC 2024-0737

Holly McGrath, Chairperson, Library
Board of Trustees, Town of Simsbury;
Library Board of Trustees, Town of
Simsbury; and Town of Simsbury,

Respondents

November 19, 2025

The above-captioned matter was heard as a contested case on June 12, 2025, 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. By complaint received and filed on November 26, 2024, the complainant appealed to this Commission alleging that the respondents violated the Freedom of Information (“FOI”) Act when their Policy Committee held a meeting on October 28, 2024, for which they provided no notice, posted no agenda, and filed no meeting minutes. The complainant alleged that such meeting constituted an “illegal secret” meeting and requested that the Commission assess a civil penalty against the respondents, in addition to other relief.

3. Section 1-225(a), G.S., provides, in relevant part, as follows:

The meetings of all public agencies . . . shall be open to the public. The votes of each member of such public agency upon any issue before such public agency shall be reduced to writing and made available for public inspection within forty-eight hours and shall also be recorded in the minutes of the session at which taken. Not later than seven days after the date of the session to which such minutes refer, such minutes shall be available for public inspection and posted on such public agency’s Internet web site, if available,

except that no public agency of a political subdivision of the state shall be required to post such minutes on an Internet web site. Each public agency shall make, keep and maintain a record of the proceedings of its meetings.

4. Section 1-225(d), G.S., provides, in relevant part, as follows:

Notice of each special meeting of every public agency . . . shall be posted not less than twenty-four hours before the meeting to which such notice refers . . . and given not less than twenty-four hours prior to the time of such meeting by filing a notice of the time and place thereof in the . . . office of the clerk of such subdivision for any public agency of a political subdivision of the state. . . .

5. At the hearing on this matter, the respondents admitted that their Policy Committee held a meeting on October 28, 2024, without providing prior notice and without subsequently publishing meeting minutes. The respondent Chairperson of the Library Board testified, and it is found, that the purpose of the October 28 meeting was to: (i) set up a plan to review the Library's policy documents; (ii) set a schedule for regular review of their policies; and (iii) elect a Chair of the Committee.

6. It is found that the respondents did not provide notice of the October 28 meeting because they were under the mistaken belief that the FOI Act's meeting requirements did not apply to committees of public agencies.

7. It is also found that, upon realizing their error regarding the October 28 meeting, the respondents on January 21, 2025, held another meeting of the Policy Committee to, in effect, nullify and re-do the actions they had taken at the October 28 meeting.

8. It is further found that the January 21, 2025 meeting was properly noticed as a special meeting of the respondents' Policy Committee and the meeting minutes for such meeting were posted in a timely manner under the FOI Act.

9. The respondents testified, and it is found, that they have subsequently undergone FOI training and are aware that the notice, agenda, and minutes requirements of §1-225, G.S., apply to all committees of the respondent Library Board.

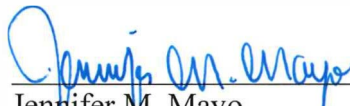
10. It is concluded that while the respondents violated the notice and minutes requirements of §1-225, G.S., with respect to the October 28, 2024 meeting of the Policy Committee, such violations were fully cured during their January 21, 2025 meeting.

11. Given that the respondents fully cured their violations of §1-225, G.S., the Commission declines to consider the imposition of a civil penalty in this matter.

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

1. Based on the facts and circumstances of this matter, no order is recommended.

Approved by Order of the Freedom of Information Commission at its regular meeting of November 19, 2025.



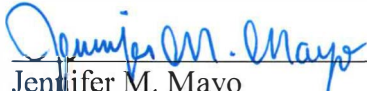
Jennifer M. Mayo
Acting Clerk of the Commission

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:

LORI BOYKO, 15 Oakhurst Road, Simsbury, CT 06070

HOLLY MCGRATH, CHAIRPERSON, LIBRARY BOARD OF TRUSTEES, TOWN OF SIMSBURY; LIBRARY BOARD OF TRUSTEES, TOWN OF SIMSBURY; AND TOWN OF SIMSBURY, c/o Attorney Robert M. DeCrescenzo, Updike, Kelly & Spellacy, P.C., Goodwin Square, 225 Asylum Street, 20th Floor, Hartford, CT 06103


Jennifer M. Mayo
Acting Clerk of the Commission