

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Michael Ceppetelli,

Complainant

against

Docket # FIC 2024-0830

Jason E. Bowsza, Board of Selectmen,  
Town of East Windsor; Board of Selectmen,  
Town of East Windsor; and Town of East  
Windsor,

Respondents

November 19, 2025

The above-captioned matter was heard as a contested case on May 30, 2025, at which time the complainant and the 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 email, received and filed by the Commission on December 16, 2024, the complainant appealed to this Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to file and make available for public inspection the minutes taken at their December 5, 2024 regular meeting in a timely manner. The complaint further alleged that the respondents’ failure was part of a pattern of such violations.<sup>1</sup> The complainant also requested that the Commission consider imposing civil penalties on the respondents.
3. Section 1-225(a), G.S., provides the following:

The meetings of all public agencies...shall be open to the public.  
The votes of each member of any such public agency upon any  
issue before such public agency shall be reduced to writing and

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<sup>1</sup> In his complaint, the complainant alleged that the respondents violated the meetings requirements for the FOI Act in 21 other instances between January 2023 and November 2024, including the timely availability of minutes for the respondents’ February 15, 2024 and November 21, 2024 meetings. With respect to the February 15, 2024 meeting, the Commission notes that in its final decision in docket number FIC 2024-0125, Ceppetelli v. First Selectman, Board of Selectmen, Town of East Windsor, et al. (February 13, 2025), the Commission already found that the respondents violated the minutes provisions with respect to such meeting (further addressed in paragraph 11, below). With respect to the November 21, 2024 meeting, at the contested case hearing the complainant declined to proffer any evidence regarding the alleged meetings violation; therefore, such allegations will not be further addressed herein. With respect to the remaining 19 instances cited, wherein the complainant alleged that the respondent board failed to timely publish meeting minutes, such alleged violations occurred more than 30 days before the complainant filed the instant appeal; therefore, the Commission lacks jurisdiction to consider such claims pursuant to §1-206(b)(1), G.S., and will not address them further herein.

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. (Emphasis added.)

4. It is found that the respondent board held a regular meeting on December 5, 2024 (hereinafter, the "December 5 meeting").

5. It is found that, sometime prior to 8:50 a.m. on December 13, 2024, the complainant made an in-person request at the town clerk's office for the minutes of the respondent board's December 5, 2024 meeting, but he was informed by the assistant town clerk that such minutes were not available at that time.

6. It is also found that, via email at 8:50 a.m. on December 13, 2024, the complainant requested a copy of the December 5, 2024 meeting minutes from the town clerk. It is further found that, in such email, he informed the town clerk of his in-person request for the same records, described in paragraph 5, above.

7. It is found that, at an unspecified time on December 13, 2024, the assistant town clerk stamped the respondent board's draft minutes for its December 5, 2024 meeting as "RECEIVED."

8. It is found that later in the day on December 13, 2024, the complainant was able to access the December 5, 2024 meeting minutes on the respondents' website.

9. It is found that the respondents neither filed nor made available for public inspection the minutes of the December 5 meeting until December 13, 2024, one day beyond the seven-day statutory requirement set forth in §1-225(a), G.S.

10. Accordingly, it is concluded that the respondents violated §1-225(a), G.S., as alleged in the complaint.

### **Consideration of the Imposition of Civil Penalties**

11. The complainant requested the imposition of civil penalties on the respondents, since the Commission had previously found the respondents in violation of §1-225(a), G.S., in its final decision in docket number FIC 2024-0125, Ceppetelli v. First Selectman, Board of Selectmen, Town of East Windsor, et al. (February 13, 2025) ("Ceppetelli I") for making their February 15, 2024 regular meeting minutes publicly available four days after the seven-day statutory requirement had passed.

12. It is further found that, in its final decision in Ceppetelli I, the Commission:

(a) ordered the respondents to henceforth strictly comply with §1-225(a), G.S., regarding the availability and filing of meeting minutes; and

(b) advised the respondents to review their internal procedures for posting meeting minutes to (i) identify the cause of their failure to post the minutes in a timely manner and (ii) avoid similar issues with respect to future meetings.

13. Regarding the imposition of civil penalties, §1-206(b)(2), G.S., provides the following in relevant part:

[U]pon a finding that a denial of any right created by the Freedom of Information Act was without reasonable grounds and after the custodian or other official directly responsible for the denial has been given an opportunity to be heard at the hearing conducted in accordance with sections 4-176e to 4-184, inclusive, the commission may, in its discretion, impose against the custodian or other official a civil penalty of not less than twenty dollars nor more than five thousand dollars.

14. The standard for when a violation is “without reasonable grounds” is analogous to the legal standard “without any substantial justification.” Connecticut Dept. of Pub. Safety v. FOIC, et al., 1997 WL 537117 (Conn. Super.), affirmed, 247 Conn. 341 (1998). Similarly, the phrase “without reasonable justification” has been construed to mean “entirely unreasonable or without any basis in law or fact.” Id., quoting Bursinkas v. Dept. of Social Services, 240 Conn. 141, 155 (1997).

15. It is found that respondent Jason E. Bowsza, as the first selectman and a public agency in his own right, is the public official directly responsible for ensuring the timely availability of the respondent board’s minutes and is therefore directly responsible for the violation set forth in paragraph 10, above.

16. It is found that respondent First Selectman Bowsza was unable to provide substantial evidence that he heeded what the Commission advised in Ceppetelli I, described in paragraph 12(b), above. Specifically, it is found that, in the time since the final decision in Ceppetelli I, the respondent first selectman had written and oral conversations with the recording secretary responsible for submitting the respondents’ meeting minutes to the town clerk for public posting. It is further found that such conversations consisted of reminders from the respondent first selectman regarding the importance of complying with the FOI Act and posting meeting minutes in a timely manner. However, it is found that the respondent first selectman offered no evidence that he made efforts to review the respondents’ internal procedures to identify the cause of their failure to timely post the meeting minutes in Ceppetelli I and to avoid similar issues with respect to future meetings.

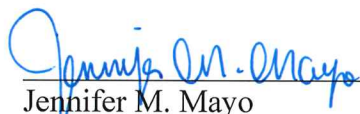
17. Given that the Commission advised, rather than ordered, the respondents to take the action described in paragraph 12(b), above, and that the respondents' posting of the December 5 meeting minutes was less than one day late pursuant to the requirements of §1-225(a), G.S.; the Commission in its discretion declines to impose a civil penalty in this case. However, the Commission strongly cautions the respondents that future violations of such provision may result in the imposition of a civil penalty.

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

1. The respondent First Selectman Jason E. Bowsza, as the official directly responsible for the denial herein, shall submit to the Commission and the complainant (within fourteen (14) days of the Notice of Final Decision in this matter) an affidavit attesting to the specific (a) steps taken following receipt of such Notice to review the respondents' internal procedures for posting meeting minutes and (b) internal policies the respondents put in place to avoid similar issues with respect to future meetings.

2. Henceforth, the respondents shall strictly comply with the requirements of §1-225(a), G.S., concerning the availability and filing of meeting minutes.

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

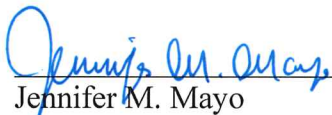
  
Jennifer M. Mayo  
Acting Clerk of the Commission

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:

**MICHAEL CEPPETELLI**, c/o Attorney Scott Lingenfelter, Law Offices of Marc N. Needelman, 800 Cottage Grove Road, Suite 313, Bloomfield, CT 06002

**JASON E. BOWSZA, FIRST SELECTMAN, BOARD OF SELECTMEN, TOWN OF EAST WINDSOR; BOARD OF SELECTMEN, TOWN OF EAST WINDSOR; AND TOWN OF EAST WINDSOR**, c/o Attorney Mark J. Sommaruga, Pullman & Comley LLC, 90 State House Square, Hartford, CT 06103



Jennifer M. Mayo  
Acting Clerk of the Commission