

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Jacob Simkovitz,

Complainant

against

Docket # FIC 2025-0783

Tax Collector, Easton Fire District No. 1;
and Easton Fire District No. 1,

Respondents

August 26, 2026

The above-captioned matter was heard as a contested case on April 7, 2026, at which time the complainant and the respondents appeared; stipulated to certain facts; and presented testimony, exhibits, and argument on the complaint.

On April 17, 2026, pursuant to an order of the presiding hearing officer, the respondents submitted copies of legal notices published by the respondents in calendar years 2023 through 2025. Such copies are admitted into evidence as a full exhibit and marked as follows: Respondents' Exhibit 4 (after-filed): "Legal Notices, 2023-2025, and First Selectman Op-Ed (25 pages)." On April 21, 2026, the respondents submitted the following after-filed exhibit, which is admitted into evidence as a full exhibit and marked as follows: Respondents' Exhibit 5 (after-filed): "2023 Grand List Statement and Email from Office of Policy and Management (6 pages)."

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 June 23, 2025, the respondents held an annual meeting.
3. It is found that, by email on August 8, 2025, the complainant requested that the respondents allow him to inspect or obtain electronic copies of the following records, in relevant part: any and all meeting minutes from 2025.¹
4. It is found that the respondent tax collector acknowledged the complainant's request, described in paragraph 3, above, within four days of receipt.
5. It is found that, by email on August 25, 2025, the respondent tax collector provided the complainant with an initial batch of responsive records that did not contain the minutes for the June 23, 2025, meeting.

¹ The complainant also sought copies of other records as part of such request; however, they are not at issue in this matter and will not be further addressed herein.

6. By email, dated August 30, 2025, and received and filed on September 2, 2025, the complainant appealed to this Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by (a) failing to make their June 30, 3035[sic] meeting² minutes available for public inspection, (b) failing to publish the minutes of such meeting online, and (c) failing to provide a copy of such minutes in a timely manner.³

7. Section 1-225(a), G.S., provides the following:

The meetings of all public agencies...shall be open to the public.
[...] 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.

Public Availability of Minutes

8. Regarding the complainant’s allegation that the respondents failed to make their June 23, 2025, meeting minutes available for public inspection, it is found that the complainant was initially unable to determine how to contact the respondents to request such minutes. Specifically, it is found that, during the first week of August 2025, the complainant had searched online for a copy of such minutes, including on the Town of Easton’s website, but was unable to find them. It is found that the Town of Easton hosts a webpage containing information about the respondent fire district.⁴

9. The complainant also testified that he was unable to locate a list of the respondent fire district’s officers or members. However, it is found that the complainant was able to find on the respondents’ webpage the contact information for the respondent tax collector, to whom he ultimately submitted his request, described in paragraph 3, above.

10. Our Superior Court has affirmed that “the [FOI] act requires access to public records during regular business hours at an agency’s regular place of business or, if this is deemed to be

² Based upon his testimony at the contested case hearing, the complaint likely was referring to the respondents’ June 23, 2025, meeting.

³ At the April 7, 2026, contested case hearing in this matter, the complainant also raised various allegations for the first time that were not pled in his August 30, 2025, complaint, including the allegation that the respondents failed to reduce to writing the votes taken at their June 23, 2025, meeting in violation of §1-225(a), G.S. The Commission does not have subject matter jurisdiction over such allegations that are not timely made pursuant to §1-206, G.S., and, accordingly, will not address them further herein.

⁴ See <https://www.eastonct.gov/1245/Easton-Fire-District-No-1> (last accessed on August 17, 2026).

too burdensome, the agency may choose to maintain their records at the office of the town clerk.” *Borough of Woodmont v. FOIC*, No. CV064010811, 2007 WL 2835117 at *5 (Sept. 20, 2007) (“*Woodmont*”).

11. Based upon the testimony of the respondent tax collector, it is found that there are no publicly available instructions for requesting meeting minutes from the respondent fire district. It is further found that the respondents do not publicize a business address or a town hall address where minutes may be requested in compliance with *Woodmont*.

12. Accordingly, it is found that the respondents violated §1-225(a), G.S., by failing to make the minutes of their June 23, 2025, meeting publicly available.

Online Publishing of Meeting Minutes

13. Regarding the complainant’s allegation that the respondents’ June 23, 2025, meeting minutes should have been published on the respondents’ website, described in paragraph 8, above, §1-225(a), G.S., requires *state* agencies to post their meeting minutes online, but does not require the same for political subdivisions of the state.

14. The Commission takes administrative notice of the respondents’ website, which states that in 1931, the Connecticut General Assembly passed Special Act 217. Section 2 of such Special Act granted authority to “the Town of Easton or any school district or fire district within said town” to contract with Bridgeport Hydraulic Company “for a supply of water for the use and protection of any property within its limits and for other purposes, and may lay and collect a tax for such amounts as may be required to meet liabilities incurred under any such contract.” The respondents’ website further states that the respondent fire district was created in 1948, under and pursuant to the General Statutes of the State of Connecticut, as amended, “to provide fire protection and to raise taxes to pay for such protection.” The respondent fire district is defined as those Easton properties lying within 1,000 feet of the watermains of the Aquarion Water Company (formerly “Bridgeport Hydraulic Company”).

15. It is found that the respondent fire district serves various fire extinguishing purposes as set forth in §7-326, G.S. The organization of districts within the meaning of §7-326, G.S., is set forth in §7-325, G.S., which provides that such districts constitute “a body corporate and politic” having the powers to accomplish its purposes “including the power to lay and collect taxes.”

16. Accordingly, it is found that the respondent fire district is a political subdivision of the state, within the meaning of §1-225(a), G.S. *See Candlewood Hills Tax District v. Medina*, 143 Conn. App. 230, 237 (2013) (tax district similarly created pursuant to §§7-324 through 7-329, G.S., is a quasi-municipal corporation); *Campanelli v. Candlewood Hill Tax District*, 126 Conn. App. 135, 139-40 (2011) (quasi-municipal corporations governed by laws applicable to municipal corporations); *see also State ex rel. Maisano v. Mitchell*, 155 Conn. 256, 263 (1967) (analysis of term “political subdivision of the state”).

17. It is concluded that, as a political subdivision of the state, the respondent fire district is not required to post its June 23, 2025, meeting minutes online and, therefore, did not violate §1-225(a), G.S., for failing to do so.

Prompt Provision of Meeting Minutes

18. Regarding the complainant's allegation that the respondents did not promptly provide an electronic copy of the June 23, 2025, meeting minutes, the Commission has held that the meaning of the word "promptly" is a particularly fact-based question. In *Advisory Opinion #51, In the Matter of a Request for Declaratory Ruling, Third Taxing District of the City of Norwalk, Applicant* (January 11, 1982), the Commission advised that the word "promptly," as used in §1-210(a), G.S., means "quickly and without undue delay," taking into account all factors presented by a particular request.

19. The advisory opinion goes on to describe some of the factors that should be considered in weighing a request for records against other priorities: the volume of records requested; the time and personnel required to comply with a request; the time by which the person requesting records needs them; the time constraints under which the agency must complete its other work; the importance of the records to the requestor, if ascertainable; and the importance to the public of completing other agency business without the loss of personnel time involved in complying with the request. In addition, common sense and goodwill ought to be the guiding principles.

20. It is found that, pursuant to §1-225(a), G.S., the respondents' June 23, 2025, meeting minutes should have been available for public inspection within seven (7) days of such meeting, by June 30, 2025; however, when the complainant requested a copy of such minutes on August 8, 2025, they were not provided by the respondents.

21. Based on the respondent tax collector's testimony, it is found that she did not possess a copy of the June 23, 2025, meeting minutes when she received the complainant's August 8, 2025, request. It is further found that she then contacted the respondent fire district's clerk to obtain a copy of such minutes.

22. It is found that, by email on September 10, 2025, the respondent tax collector provided the June 23, 2025, meeting minutes to the complainant, seventy-two (72) days after the statutory deadline set forth §1-225(a), G.S., and thirty-three (33) days after the complainant requested such minutes.

23. Based on the foregoing, it is found that the respondents failed to prove that they provided records responsive to the complainant's request, described paragraph 3, above, "quickly and without undue delay" within the meaning of *Advisory Opinion #51*.

24. Accordingly, it is concluded that the respondents violated the promptness provisions of §1-210(a), G.S.

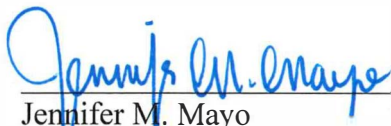
25. At the contested case hearing in this matter, the complainant, for the first time, requested that the Commission consider the imposition of civil penalties upon the respondents. The Commission, in its discretion, declines to impose a civil penalty in this case.

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

1. Within forty-five (45) days of the date of the Notice of Final Decision in this matter, the respondents shall file a notice at the office of the town clerk for the Town of Easton, and shall publish such notice on their website, informing members of the public that they may request the minutes for the respondents' meetings at one of the following locations, at a minimum: (a) a specific address where the respondents maintain a regular place of business or (b) the office of the town clerk for the Town of Easton.

2. Henceforth, the respondents shall strictly comply with the requirements of §1-225(a), G.S., by ensuring that their meeting minutes are made publicly available, and with the promptness provisions of §1-210(a), G.S.

Approved by Order of the Freedom of Information Commission at its regular meeting of August 26, 2026.



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:

JACOB SIMKOVITZ, 180 Front Street, Unit 5C, Brooklyn, NY 11201

TAX COLLECTOR, EASTON FIRE DISTRICT NO. 1; AND EASTON FIRE DISTRICT NO. 1, P.O. Box 73, Easton, CT 06612



Jennifer M. Mayo
Acting Clerk of the Commission