

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Ryan Salvas and Alycia Salvas,

Complainants

against

Docket #FIC 2025-0130

Town Clerk, Town of Sterling; and Town of
Sterling,

Respondents

February 11, 2026

The above-captioned matter was heard as a contested case on June 18, 2025, at which time the complainants and the respondents appeared and presented testimony, exhibits and argument on the complaint. The case caption has been amended, without objection, to accurately reflect the names of the complainants in this matter.

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 email dated January 16, 2025, the complainants requested copies of certain records from the respondent Town Clerk.
3. It is found that, by email dated January 21, 2025, the respondent Town Clerk acknowledged the complainants' records request and informed the complainants that she had forwarded their request to the Board of Selectmen's Administrative Assistant, the First Selectman, and the current Zoning Enforcement Officer because those departments would likely maintain records responsive to such request. The respondent Town Clerk also informed the complainants that she would soon be out on leave for an extended period of time and that the Assistant Town Clerk would further process their records request while the Town Clerk was out. It is also found that, by email dated January 23, 2025, the respondent Town Clerk forwarded a letter to the complainants asking them for clarification regarding certain aspects of their records request.
4. It is found that, by email dated February 10, 2025, the complainants provided clarification regarding their records request and requested copies of the following records from the respondent Town Clerk ("clarified request"):

any and all meetings, calendar events, Zoom meetings, logs,
records, and any other materials that pertain to Alycia Salvas, Ryan

Salvas, 237 Newport Rd, 0 Newport Rd, Buck Hill Rd (Canterbury), feral, roaming, swing/pigs, cattle, USDA, FSA, Department of Agriculture, Heather Somers, Bryan Hurlburt, and Ann Dauphinais from all individuals employed by the Town of Sterling, including those serving on any Commissions and Boards ... this request includes, but is not limited to, emails, phone records, text messages, reports, and any other forms of communication or documentation that fall within the scope of my request.

5. It is found that, by email dated February 18, 2025, the Assistant Town Clerk acknowledged the complainants' clarified request, informed the complainants that the respondents would only conduct a search of the Town Clerk's office because that is the agency to whom the complainants made their records requests, described in paragraphs 2 and 4, above, and asked the complainants what they would like to use as the "start date" for their clarified request. It is also found that the Assistant Town Clerk informed the complainants that if they wished to obtain responsive records from other departments within the Town of Sterling, the complainants would need to make separate request(s) to such department(s).

6. It is found that, by email dated February 19, 2025, the complainants informed the respondents that they were requesting all responsive records from January of 2020 through the date of their clarified request on February 10, 2025. The complainants also objected to the respondents' position that they would only search for responsive records within the Town Clerk's office.

7. By letter of complaint, dated and filed February 27, 2025, the complainants appealed to this Commission, alleging that the respondents violated the Freedom of Information ("FOI") Act by failing to provide the records described in paragraph 4, above.

8. 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 1-218, whether such data or information be handwritten, typed, tape-recorded, videotaped, printed, photostated, photographed or recorded by any other method.

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

[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.

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

11. It is concluded that the requested records, 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.

12. It is found that, while the respondent Town Clerk was on leave, the Assistant Town Clerk became the individual primarily responsible for complying with the complainants’ clarified request. It is found that, by email dated March 4, 2025, the Assistant Town Clerk informed the complainants that she would forward their clarified request to “other departments in town hall that may have records responsive to [such] request”.

13. It is found that the complainants’ clarified request is substantially similar to a prior records request they made to certain departments within the Town of Sterling in 2024 (“2024 records request”). It is also found that, by email dated March 4, 2025, the Administrative Assistant to the First Selectman (at the time of the clarified request), forwarded to the Assistant Town Clerk responsive records that had previously been provided to the complainants in response to their 2024 records request. It is further found that, by email dated March 4, 2025, the Assistant Town Clerk forwarded such records to the complainants.

14. It is found that, by emails dated March 19, 2025 and March 24, 2025, the Assistant Town Clerk provided to the complainants certain responsive records that are maintained by the Town Clerk’s office.

15. It is found that, after the respondent Town Clerk returned from leave, by emails dated April 7, 2025 and May 8, 2025, she provided the complainants with additional responsive records that are maintained by the Town Clerk’s office.

16. At the hearing on this matter, the respondent Town Clerk testified, and it is found, that the Town Clerk’s office searched for all responsive records maintained in such office and provided all responsive records to the complainants without redactions. It is therefore found that the respondent Town Clerk conducted a diligent and thorough search for all responsive records maintained by her office.

17. The complainants argued that there are additional responsive records, including emails and text messages maintained by the First Selectman and the Zoning Enforcement Officer, that were not provided to them by the respondent Town Clerk.

18. It is found, however, that the records described in paragraph 17, above, are not maintained or kept on file by the respondent Town Clerk. Rather, such records are maintained or kept on file by the town’s First Selectman, the Zoning Enforcement Officer, or other such separate department.

19. In Lash v. Freedom of Information Commission, 116 Conn. App. 171 (2009), the Appellate Court held that a public agency has the duty to maintain and disclose, upon request, the records in its possession, but such public agency does not have the duty to maintain or make available the records of another public agency. See Lash v. Freedom of Info. Comm'n, 116 Conn. App. 171, 187 (2009) (“[the first selectman] has no duty to maintain or make available the records of the law department, just as the law department has no duty to maintain or disclose the records of the first selectman”), affirmed in part and reversed in part, 300 Conn. 511 (2011) (appellate court’s order remanding the case to the Commission for further evidence was reversed). See also Docket #FIC 2023-0167, Thomas Goldenberg v. Corporation Counsel, Office of the Corporation Counsel, City of New Haven; Office of the Corporation Counsel, City of New Haven; and City of New Haven (February 28, 2024); Docket #FIC 2021-0393, Patricia King, Office of Corporation Counsel, City of New Haven; and Office of Corporation Counsel, City of New Haven (May 11, 2022); and Docket #FIC 2021-0619, Gregg and Jennifer Haythorn v. Town Administrator, Town of Weston; and Town of Weston (October 12, 2022).

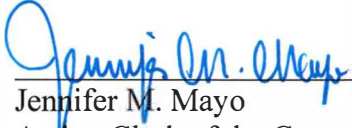
20. Accordingly, it is concluded that the respondents were only required to provide the complainants with responsive records that they maintain, and as set forth in paragraphs 14 through 15, above, the respondents provided such responsive records.¹

21. It is therefore concluded that the respondents did not violate the FOI Act, as alleged by the complainants.

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

1. The complaint is hereby dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of February 11, 2026.



Jennifer M. Mayo
Acting Clerk of the Commission

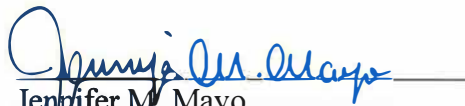
¹ The Commission also notes that, although the respondent Town Clerk was under no obligation to do so, her office forwarded the complainants’ clarified request to other departments within the Town of Sterling and, as set forth in paragraph 13, above, subsequently forwarded to the complainants any records provided to the respondent Town Clerk by such departments.

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:

RYAN SALVAS AND ALYCIA SALVAS, Radical Roots Farm, LLP, 146 Buck Hill Road, Canterbury, CT 06331

TOWN CLERK, TOWN OF STERLING; AND TOWN OF STERLING, c/o Attorney Richard P. Roberts, Halloran Sage LLP, 225 Asylum Street, Hartford, CT 06103


Jennifer M. Mayo
Acting Clerk of the Commission