

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

David Wold,

Complainant

against

Docket #FIC 2025-0066

Director, Park and Recreation
Department, Town of Greenwich; Park
and Recreation Department, Town of
Greenwich; and Town of Greenwich,

Respondents

January 14, 2026

The above-captioned matter was heard as a contested case on July 31, 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. It is found that on January 9, 2025, the complainant submitted a request seeking: (i) records showing that a 13.423-area of land known as the Eugene Morlot Memorial Park (hereinafter the “parkland”) had been “formally defined” as dedicated parkland; and (ii) the “final plans” for the parkland showing where certain basketball poles had been relocated.¹
3. It is found that on January 17, 2025, the complainant emailed the respondents to follow up regarding his request described in paragraph 2, above, and clarified that he was seeking: (i) any documentation showing that the parkland described in paragraph 2, above, was

¹It is found that the complainant had originally requested the records described in paragraph 2, above, in September 2021. It is found that upon receiving the complainant’s original September 2021 request, the respondents’ Director of Parks and Recreation searched the department’s files pertaining to parks as well as general administration. It is found that at that time the respondents did not locate records responsive to the complainant’s original September 2021 request, although the respondents never so informed the complainant.

At the July 31, 2025, hearing, the Hearing Officer considered and denied the respondents’ Motion to Dismiss, which alleged that the complainant did not timely file his complaint with this Commission because his request was originally made in September 2021. In renewing his request as described in paragraph 2, above, the complainant was effectively making a new request for the same records he had previously sought in September 2021.

“formally defined” as dedicated parkland; and (ii) the “final plan” showing the relocated basketball poles as described in paragraph 2, above.

4. It is found that between receiving the complainant’s request on January 9, 2025, and the complainant’s appeal to this Commission on January 29, 2025, as described in paragraph 6, below, the respondent Director of Parks and Recreations (“P&R Director”) searched the department’s files pertaining to parks and general administration.

5. It is found that after completing the search described in paragraph 4, above, the respondent P&R Director did not locate any records responsive to the complainant’s request described in paragraph 2, above. It is further found, however, that the respondents did not inform the complainant that no responsive records had been located until March 28, 2025, as described in paragraph 11, below.

6. By complaint received and filed January 29, 2025, the complainant appealed to this Commission alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to provide records responsive to his request described in paragraph 2, above.

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

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

[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 (1) inspect such records promptly during regular office or business hours, (2) copy such records in accordance with subsection (g) of section 1-212, or (3) receive a copy of such records in accordance with section 1-212.

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

10. It is concluded, therefore, that the records described in paragraph 2, above, to the extent such records exist and are maintained by the respondents, are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

11. It is found that on March 28, 2025, the respondent P&R Director sent a letter to the complainant indicating that the respondents had received his renewed request, had conducted a search in September 2021, and, upon receipt of the instant complaint, conducted another search, but were again unable to locate responsive records.

12. The respondent P&R Director testified, and it is found, that the respondents' files are divided into distinct categories pertaining to certain divisions of the department (e.g., administration, parks, marine, recreation, etc.) It is also found that the only locations where the respondents would have maintained records responsive to the complainant's request was in the administration or parks section of their files.²

13. It is found that in the respondent P&R Director's March 28 letter, he also indicated that the records the complainant sought are records of the Planning and Zoning ("P&Z") Commission and that it was more likely that the land use department would be able to assist him.³

14. It is further found that on July 2, 2025, the complainant inspected, in person, the respondents' entire file pertaining to general administration and parks. The complainant spent approximately one hour reviewing the records, made copies by photographing documents with his phone, and identified several larger records (such as maps) for which he requested copies. Copies of those records were provided to him via email within two days of his visit during which he inspected the respondents' records.

15. It is found that the respondents conducted a thorough and diligent search of their records and could not locate any document that formally defined the Eugene Morlot Memorial Park, nor any final plan showing the relocation of basketball poles.⁴ Moreover, the complainant himself inspected the respondents' records. It is found that while the complainant did make and request copies of certain records after having an opportunity to inspect the respondents' file, he provided no evidence as to which of those records, if any, were responsive to his request described in paragraph 2, above, that should have been provided sooner.

² The respondent P&R Director, through his testimony, evidenced a deep knowledge and understanding as to the contents of P&R department's files, and thus the undersigned Hearing Officer credits his testimony that any records responsive to the complainant's request described in paragraph 2, above, would have been located in the department's files pertaining to either general administration or parks.

³ The complainant had already made a request for similar records to the P&Z Director, although the processing time for that request quoted by P&Z would be 6-8 weeks. It appears, however, that in the time since making such request, the complainant had received some records from P&Z and was provided an opportunity to inspect the P&Z records in a similar manner to that described in paragraph 14, above.

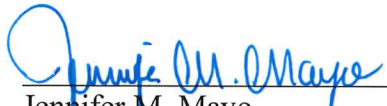
⁴ The respondents' lack of files regarding the formal dedication of Eugene Morlot Memorial Park is consistent with the fact that in August 2021 the Town of Greenwich had discovered that there was no evidence that such dedication had ever taken place. This was later rectified by the Board of Selectmen passing a resolution officially designating the parkland as the Eugene Morlot Memorial Park at its November 23, 2021, meeting. The respondents testified, and it is found, that while the P&R Director presented the resolution, he took no part in drafting it nor any of the maps annexed thereto. Specifically, the respondent P&R Director testified that the resolution was drafted by the Town's Law Department, and the maps were drafted by the Department of Public Works. Furthermore, the respondent P&R Director testified, and it is found, that he only presented the resolution to the Board and any communication or correspondence regarding the resolution was conducted orally.

16. It is concluded, therefore, that the respondents did not violate the disclosure provisions of §§1-210(a) and 1-212(a), G.S., as they maintained no records responsive to the complainant's request described in paragraph 2, above.

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

1. The complaint is dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of January 14, 2026.



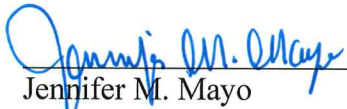
Jennifer M. Mayo
Acting Clerk of the Commission

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:

DAVID WOLD, 45 Gerry Street, Greenwich, CT 06830

DIRECTOR, PARK AND RECREATION DEPARTMENT, TOWN OF GREENWICH; PARK AND RECREATION DEPARTMENT, TOWN OF GREENWICH; AND TOWN OF GREENWICH, c/o Attorney Aamina Ahmad, Greenwich Town Attorney's Office, 101 Field Point Road, Greenwich, CT 06830



Jennifer M. Mayo
Acting Clerk of the Commission