

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Nancy Griswold,

Complainant

against

Docket #FIC 2025-0694

Tony Adili, Land Use Administrator, Land  
Use Department, Town of Thomaston; Land  
Use Department, Town of Thomaston; and  
Town of Thomaston,

Respondents

July 22, 2026

The above-captioned matter was heard as a contested case on April 1, 2026, at which time the complainant and the respondents appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint.

After the contested case hearing on this matter, the complainant submitted two after-filed exhibits, which have been admitted into evidence, without objection, and marked as follows: Complainant's Exhibit E (after-filed): Legal invoices from Byrne & Byrne LLC to Thomaston Land Use Office and Thomaston Planning & Zoning Commission regarding Docket #FIC 2024-0365; and Complainant's Exhibit F (after-filed): Legal invoices from Byrne & Byrne LLC to Thomaston Land Use Office and Thomaston Planning & Zoning Commission regarding Docket #FIC 2025-0694.

After consideration of the entire record, the following facts are found and conclusions of law are reached:

1. It is found that, by complaint dated and filed on August 4, 2025, the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information ("FOI") Act by failing to comply with the Commission's order in Docket #FIC 2024-0365, Nancy Griswold v. Land Use Administrator, Land Use Department, Town of Thomaston; Land Use Department, Town of Thomaston; and Town of Thomaston (June 11, 2025) ("Griswold I"). It is found that the complainant also requested the imposition of a civil penalty against the respondents.

2. The Commission takes administrative notice of the record and Final Decision in Griswold I.

3. In Griswold I, this Commission ordered that certain responsive records be submitted for in camera inspection and identified such records as IC-2024-0365-1 through IC-2024-0365-

45. The Commission concluded, based upon a careful inspection of such in camera records, that the respondents violated the FOI Act by withholding the redacted portions of such in camera records and ordered the respondents to provide unredacted copies of the in camera records to the complainant, free of charge, within fourteen days of the date of the Notice of Final Decision in Griswold I.

4. It is found that the Notice of Final Decision in Griswold I was dated June 17, 2025.

5. It is found that, by email dated June 25, 2025, the respondents provided the complainant with unredacted copies of IC-2024-0365-1 through IC-2024-0365-31, free of charge.

6. It is found that, by email dated June 26, 2025, the complainant informed the respondents that she had not received copies of IC-2024-0365-32 through IC-2024-0365-46.

7. It is found that, by emails dated July 2, 2025, July 17, 2025, July 21, 2025, and February 24, 2026, the complainant, again, informed the respondents that she was waiting to receive copies of the records described in paragraph 6, above.

8. It is found that, by email dated March 3, 2026, approximately 259 days after the date of the Notice of Final Decision in Griswold I, the respondents provided the complainant with unredacted copies of IC-2024-0365-32 through IC-2024-0365-46, free of charge.

9. At the hearing on this matter, the respondents conceded, and it is therefore concluded, that they failed to comply with the Commission's order in Griswold I.

10. Section 1-206(b)(2), G.S., provides, in relevant part:

upon a finding that denial of any right created by the [FOI] 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.

11. Counsel for the respondents ("counsel") represented that multiple factors led to the respondents' failure to comply with the Commission's order in Griswold I and apologized to both the complainant and the Commission. Counsel represented that she initially believed that she had provided all responsive records to the complainant and that neither she nor the only other attorney at her law firm properly understood the reference numbers used by this Commission to identify the specific pages of in camera records at issue. Counsel also represented that Griswold I was her first time engaging in the Commission's in camera process.

12. Counsel also represented that it was her normal practice, prior to the complications that arose in this matter, to scan responsive records into her computer but that, in this case, the scanned file in Griswold I was somehow corrupted, and she was therefore unable to review such scanned records to cross-reference them with the in camera index submitted in Griswold I.

13. In December of 2025, counsel engaged the ombudsman regarding this complaint. Counsel represented that sometime around the end of February 2026, she was informed that she could review the in camera records held by the Commission, in order to determine what, if any records, were still outstanding. On March 2, 2026, counsel visited the Commission's office, reviewed the in camera records, cross-referenced such records with unmarked copies she brought from her office, and determined which responsive records had been ordered disclosed in Griswold I, but had not yet been provided to the complainant (i.e., IC-2024-0365-32 through IC-2024-0365-46).

14. At the hearing on this matter, counsel represented that she has changed her internal recordkeeping process to ensure that the issues presented in this complaint are never repeated.

15. The named respondent, Tony Adili, testified, and it is found, that he became Land Use Administrator for the Town of Thomaston in November of 2024, approximately five months after the complainant filed her complaint in Griswold I. Mr. Adili also testified, and it is found, that he underwent training from the FOI Commission on February 4, 2026, that he takes his obligations under the FOI Act seriously, and that he has timely responded to multiple requests from the complainant subsequent to Griswold I.

16. After consideration of the entire record, it is found that extenuating circumstances contributed to the respondents' failure to comply with the Commission's order in Griswold I, and therefore, that such failure was not "without reasonable grounds." Accordingly, the Commission, in its discretion, declines to impose a civil penalty against the respondents.

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

1. Henceforth, the respondents shall strictly comply with the disclosure provisions of §§1-210(a) and 1-212(a), G.S.

Approved by Order of the Freedom of Information Commission at its regular meeting of July 22, 2026.

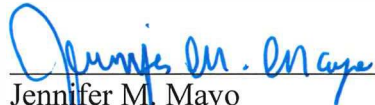
  
Jennifer M. Mayo  
Acting Clerk of the Commission

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:

**NANCY GRISWOLD**, 24 Atwood Road, Thomaston, CT 06787

**TONY ADILI, LAND USE ADMINISTRATOR, LAND USE DEPARTMENT, TOWN OF THOMASTON; LAND USE DEPARTMENT, TOWN OF THOMASTON; AND TOWN OF THOMASTON**, c/o Attorney Steven E. Byrne and Attorney Nicole L. Byrne, Law Offices of Byrne & Byrne, LLC, P.O. Box 1065, Farmington, CT 06034

  
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Jennifer M. Mayo  
Acting Clerk of the Commission