

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Michael Ceppetelli,

Complainant

against

Docket # FIC 2025-0495

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

Respondents

June 10, 2026

The above-captioned matter was heard as a contested case on December 12, 2025, at which time the complainant and the respondents appeared; stipulated to certain facts; 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 June 18, 2025, 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 May 22, 2025, regular meeting in a timely manner. The complaint further alleged that the respondents’ failure was part of a pattern of such violations. 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 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 May 22, 2025.

5. It is found that, on June 2, 2025, the complainant made an in-person request at the town clerk's office for the minutes of the respondent board's May 22, 2025, meeting, but he was informed by the assistant town clerk that such minutes were not available at that time.

6. It is found that, by email later in the day on June 2, 2025, the respondents provided to the complainant a copy of the May 22, 2025, meeting minutes.

7. It is found that the respondents failed to make available for public inspection the minutes of the May 22, 2025, meeting until June 2, 2025, five days beyond the seven-day statutory requirement set forth in §1-225(a), G.S.

8. 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

9. 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.

10. 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).

11. Since 2025, the Commission has previously found the respondents in violation of §1-225(a), G.S., twice for untimely availability of meeting minutes. See Docket #FIC 2024-0125, Michael Ceppetelli v. First Selectman, Board of Selectmen, Town of East Windsor, et al. (February 13, 2025) ("Ceppetelli I"); and Docket #FIC 2024-0830, Michael Ceppetelli v. Jason E. Bowsza, First Selectman, Board of Selectmen, Town of East Windsor, et al. (November 19, 2025) ("Ceppetelli II").

12. In Ceppetelli I, the Commission found that the respondents made their regular meeting minutes available four days after the statutory requirement set forth in §1-225(a), G.S.

13. In Ceppetelli II, the Commission found that respondents made their regular meeting minutes available less than one day after the statutory requirement set forth in §1-225(a), G.S.

14. When requesting that the Commission consider the imposition of civil penalties on the respondents, the complainant alleged in his pleadings that, between January 2023 and March 2025, the respondents violated the FOI Act requirement regarding the timely availability of meeting minutes in 24 other instances in addition to the instant matter. With respect to 23 of such alleged violations, the Commission notes that they occurred more than 30 days before the complainant filed the instant appeal.¹ Therefore, the Commission lacks jurisdiction to consider such claims pursuant to §1-206(b)(1), G.S., and cannot consider such allegations in making its determination relative to the imposition of a civil penalty against the respondents.

15. The Commission notes that the instant matter is the third time it has instructed the complainant that it lacks jurisdiction to consider untimely allegations of FOI Act violations.² Nevertheless, the complainant made similar untimely allegations in the instant complaint in support of a request for imposition of civil penalties upon the respondent first selectman.

16. 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 8, above.

17. It is found that respondent First Selectman Bowsza received notice from the Commission that the complainant had filed a complaint in the instant matter on August 18, 2025, after the complaint in Ceppetelli II had been heard but before the Commission had issued a final decision in the matter. Therefore, it is found that, at the time the respondents committed the violation described in paragraph 8, above, First Selectman Bowsza had not yet been cautioned by the Commission in Ceppetelli II regarding the possible imposition of civil penalties for future violations of the meeting minutes requirements in §1-225(a), G.S.³

18. Therefore, the Commission finds that the violation in this matter was not without reasonable grounds and the imposition of a civil penalty is not warranted under the facts and circumstances of this case. However, the respondents are advised that similar violations in the future may result in the imposition of civil penalties.

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 requirements of §1-225(a), G.S., concerning the availability and filing of meeting minutes.

¹ The Commission notes that the 24th alleged violation was the subject of the complaint in Ceppetelli I.

² See Ceppetelli I, footnote 1; and Ceppetelli II, footnote 2.

³ See paragraph 17 of the findings in Ceppetelli II.

Approved by Order of the Freedom of Information Commission at its regular meeting of June 10, 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:

MICHAEL A. CEPPELELLI, c/o of Scott R. Lingenfelter, Lingenfelter Law, 800 Cottage Grove Road, Suite 313, Bloomfield, CT 06002

JASON E. BOWSA, 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