

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

John Tartaglia,

Complainant

against

Docket #FIC 2025-0515

First Selectperson, Board of Selectpersons,
Town of Ridgefield; Board of Selectpersons,
Town of Ridgefield; and Town of
Ridgefield,

Respondents

June 10, 2026

The above-captioned matter was heard as a contested case on December 16, 2025, at which time the complainant and the respondents appeared, stipulated to certain facts, and presented testimony, exhibits and argument on the complaint. The case caption has been amended to accurately reflect the respondents 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. By letter dated June 24, 2025, and received and filed June 25, 2025, the complainant appealed to this Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act with respect to two special meetings of the respondent Board of Selectpersons (“Board”) that were held on June 19, 2025 and June 20, 2025, respectively.¹ Specifically, with respect to both special meetings, the complainant alleged that:
 - (a) the agendas failed to properly apprise the public of the business to be conducted;
 - (b) the public was improperly denied access; and

¹ The Commission notes that at the contested case hearing, and in his post-hearing brief, the complainant alleged additional violations of the FOI Act that were not raised in his complaint, and therefore, will not be further addressed herein. The Commission also notes that the complainant alleged the respondents committed other violations of law and procedural irregularities, in addition to requesting certain other legal relief, all of which are not within the purview of this Commission and, therefore, will not be further addressed herein. See Dept. of Public Safety v. Freedom of Information Commission, 103 Conn. App. 571, 577 (2007) (the Commission is a creature of statute with limited jurisdiction; it can only administer and enforce the provisions set forth in the FOI Act).

- (c) the respondents improperly convened executive sessions.

The complainant also requested an order from the Commission declaring null and void the actions taken by the Board during its June 20, 2025 special meeting.

3. Section 1-225, G.S., provides, in relevant part, as follows:

- (a) The meetings of all public agencies, except executive sessions, as defined in subdivision (6) of section 1-200, 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.

....

- (d) Notice of each special meeting of every public agency ... shall be posted not less than twenty-four hours before the meeting to which such notice refers The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings by such public agency.

....

- (f) A public agency may hold an executive session as defined in subdivision (6) of section 1-200, upon an affirmative vote of two-thirds of the members of such body present and voting, taken at a public meeting and stating the reasons for such executive session, as defined in section 1-200.

4. It is found that the Board held special meetings on June 19, 2025 (“June 19th special meeting”) and June 20, 2025 (“June 20th special meeting”). Such meetings shall collectively be referred to as the “special meetings” herein.

5. With regard to the complainant’s contention, described in paragraph 2(a), above, it is found that the Board issued a notice and agenda for each of the special meetings that specified the time and place of such meetings. With respect to the June 19th special meeting, it is found that the notice specified that a “Special Board of Selectperson Meeting” would occur, and the agenda stated the following:

- “1. Executive Session
 - a. Interview Robert Troilo for Board of Selectperson Vacancy
- 2. Back to Public”

With respect to the June 20th special meeting, it is found that the notice specified that a “Special Board of Selectperson Meeting” would occur, and the agenda stated the following:

- “1. Executive Session
 - a. Interviewing Candidates for Board of Selectperson Vacancy
- 2. Back to Public
- 3. Possible Vote”

6. At the contested case hearing on this matter, the First Selectperson testified, and it is found, that during the special meetings, the Board did not conduct any business unrelated to the matters noticed on the June 19th special meeting agenda and the June 20th special meeting agenda, respectively.

7. It is well established that a meeting agenda must “fairly apprise the public of the action proposed,” and of the “matters to be taken up at the meeting in order to [permit the public] to properly prepare and be present to express their views.” See Zoning Bd. of Appeals of the Town of Plainfield v. Freedom of Info. Comm’n, No. CV 99-047917-S, 2000 WL 765186, *3 (Conn. Super. Ct. May 3, 2000), rev’d on other grounds, 66 Conn. App. 279 (2001).

8. Moreover, this Commission has long held that in order for the public to be fairly apprised of the reason for an executive session, the public agency must give some indication of the specific topic to be addressed. Descriptions such as “personnel,” “personnel matters,” “legal,” or even “the appointment, employment, performance, evaluation, health, dismissal of a public officer or employee,” are inadequate. See, e.g., Docket #FIC 2014-833, Bradshaw Smith v. Craig Cook, Superintendent of Schools, Windsor Public Schools, et al. (September 24, 2015) (agenda item, “Potential Executive Session to Review Attorney/Client Privileged Communication Regarding Personnel Matter,” did not fairly apprise the public of matter to be discussed); Docket #FIC 2010-738, Richard L. Stone v. Board of Selectmen, Town of Cromwell (August 24, 2011) (agenda item, “[e]xecutive session: [p]ersonnel,” did not fairly apprise the public of proposed matter to be discussed); Docket #FIC 2008-236, Preston D. Schultz and the Citizens for Prudent Spending v. Board of Education, Woodstock Public Schools (February 25, 2009) (agenda item, “discussion of attorney/client privilege [sic] documents and pending litigation,” did not fairly apprise the public); Docket #FIC 2007-003, Bradshaw Smith v. Milo W. Peck, Jr., Member, Board of Education, Windsor Public Schools (August 8, 2007) (agenda item, “employee personnel matters,” did not fairly apprise the public of the matter to be discussed in executive session); Docket #FIC 2006-013, John Voket and the Newtown Bee v. Board of Education, Newtown Public Schools (October 11, 2006) (agenda item, “executive session – personnel,” did not fairly apprise the public); Docket #FIC 1990-048, Trenton Wright, Jr. v. First Selectman, Town of Windham (agenda item, “executive session – personnel matters,” did not sufficiently state the reason for the executive session); and Docket #FIC 88-165, Robert

Cox v. Ridgefield Board of Education (January 25, 1989) (the agenda item listing executive session to “receive advice from legal counsel on a legal matter,” was insufficient).

9. The complainant alleged that, with respect to both special meetings, the agenda should have specified that such special meetings would begin in open session prior to entering executive session. With respect to the June 20th special meeting, the complainant alleged that listing an agenda item as “Possible Vote” is “so vague and ambiguous as to be meaningless” and that the agenda item “1.a.”, as referenced in paragraph 5, above, should have identified every candidate to be interviewed by the Board.

10. It is found, however, that the agendas for the special meetings specified that the Board may enter executive session to interview candidates to fill the vacant position on such Board. It is found that the respondents were not required to identify each individual they planned to interview during the June 20th special meeting, in order to sufficiently apprise the public of the business to be conducted (i.e., that the Board would be interviewing candidates). See Docket #FIC 2010-228, Darlene Jones v. Board of Selectmen, Town of Westbrook, et al. (Mar. 23, 2011) (finding that the agenda for a special meeting fairly apprised the public of the business to be conducted when it listed the following action item: “Executive session—for the purpose of deliberating over candidates for the Director of Finance position. Potential public session for vote after deliberations.”); see also Docket #FIC 1994-201, Lisa Wlodarski, et al. v. Ridgefield Board of Police Commissioners (Mar. 22, 1995) (finding that the agenda for a special meeting provided proper notice to the public of the business to be conducted where it stated, in relevant part: “The Police Commission will hold a special meeting, to interview candidates for the position of Police Commissioner...”).

11. Moreover, the Commission has previously considered whether a public agency may vote during a special meeting despite the agenda for such meeting not specifying that a vote would be taken. In Docket #FIC 2015-534, Patricia Mechare v. Andrea Downs, Chairman, Board of Education, Regional School District 1, et al. (May 11, 2016), the complainant alleged that the respondents violated the FOI Act “by failing to specify on the agenda that action would be taken on any of the agenda items.” The Commission determined that the respondents did not violate the FOI Act when voting on a matter listed on the agenda as “Anticipated Executive Session for Purpose of Superintendent Evaluation and Contract.” The Commission concluded that “it is inherent in the meeting agenda that the business included therein might be considered *and* acted upon, including by way of vote, at the meeting.” (Emphasis in original).

12. Similarly, in Docket #FIC 2007-249, Jay Kronfeld v. Board of Education Regional School District #12 (Nov. 28, 2007), the Commission determined that a special meeting agenda item providing “Discussion of Building Project Strategies” was “specific enough to fairly apprise the public that the respondent would discuss and possibly vote to put forth a referendum concerning the construction of a new school” See also Docket #FIC 2023-0209, Joe Quaranta v. Chairman, Board of Finance, Town of Roxbury, et al. (March 13, 2024); and Docket #FIC 1994-201, Lisa Wlodarski, et al. v. Ridgefield Board of Police Commissioners (Mar. 22, 1995) (finding that an agenda item to “interview” candidates “was not so restrictive so as to preclude the respondent from voting to select one of the candidates for the vacant position.”).

13. Based upon the foregoing, it is found that listing “Possible Vote” on the June 20th special meeting agenda was not impermissibly vague, as alleged by the complainant.

14. It is therefore found that the agendas for the June 19th special meeting and June 20th special meeting were sufficiently specific to apprise the public of the business to be transacted at such special meetings. Consequently, it is concluded that the respondents did not violate the notice provisions of §1-225(a), G.S., as alleged by the complainant and described in paragraph 2(a), above.

15. With regard to the allegation described in paragraph 2(b), above, the complainant argued that the public was improperly denied access: (a) to both special meetings because the agendas noticed that such special meetings would begin in executive session; and (b) with respect to the June 20th special meeting because Town Hall was allegedly closed to the public on Friday, June 20, 2025, due to the respondent town’s “Summer Hours” schedule.

16. With respect to the complainant’s contention, described in paragraph 15(a), above, it is found that the agendas for the June 19th special meeting and June 20th special meeting specified that both were special meetings of the Board and that the Board would enter executive session. See paragraph 5, above. It is found that beginning the Board’s agendas for the special meetings with “Executive Session”, as described in paragraph 5, above, did not deny the public of their right to attend such special meetings.

17. With respect to the complainant’s argument described in paragraph 15(b), above, it is found that the complainant did not try to attend the June 20th special meeting.

18. The respondents testified, and it is found, that although Town Hall would normally be closed for “Summer Hours”, Town Hall was unlocked and open to the public on June 20, 2025. The respondents also testified, and it is found, that they are unaware of any member of the public who attempted to attend the June 20th special meeting and was denied access.

19. It is therefore found that the respondents did not improperly deny the public access to the June 19th special meeting or the June 20th special meeting. Consequently, it is concluded that the respondents did not violate the open meeting requirements of §1-225(a), G.S., as alleged by the complainant and described in paragraph 2(b), above.

20. With regard to the allegation described in paragraph 2(c), above, the complainant alleged the following:

“the minutes of the June 19th [special] meeting ... indicate violation[s] of the Public Meetings Law C.G.S. § 1-225(a) and [(f)], which requires all meetings to be commenced in public, before going into executive session ... Likewise violative of this provision, the June 20, 2025, Agenda ... which also indicates ‘executive session’ ab initio.”²

² In his complaint, the complainant alleged a violation of §1-225(g), G.S., rather than §1-225(f), G.S. However, it is clear from reading such allegation in the context of the overall complaint, along with the complainant’s testimony

21. With respect to the June 19th special meeting, at the contested case hearing, and in their post-hearing brief, the respondents argued that the June 19th special meeting began as a special meeting open to the public, and “a motion was made ... to enter executive session.” It is found that the minutes for the June 19th special meeting, likewise, establish that the special meeting was called to order at 7:45 a.m., and “the Board moved to executive session” at 7:53 a.m.

22. It is therefore found that the Board did not improperly commence the June 19th special meeting in executive session. It is also found that the First Selectperson testified, generally, regarding the procedure used by the respondents when calling a special meeting order and then moving and voting to enter executive session. It is further found, however, that the First Selectperson did not, specifically, testify that, subsequent to the Board moving to enter executive session during the June 19th special meeting, that the Board affirmatively voted to enter such executive session by a vote of two-thirds of the members of the Board present and voting. It is further found that minutes of the June 19th special meeting, likewise, do not record that an affirmative vote was taken prior to entering such executive session.

23. It is therefore concluded that the respondents failed to prove that the Board affirmatively voted to enter executive session by a vote of two-thirds of the members of the Board present and voting at the June 19th special meeting, in violation of §1-225(f), G.S.

24. With respect to the June 20th special meeting, at the contested case hearing, and in their post-hearing brief, the respondents argued that the June 20th special meeting also began as a special meeting open to the public, and “a motion was made ... to enter executive session.” It is found that the minutes for the June 20th special meeting, likewise, establish that the special meeting was called to order at 10:00 a.m., and the “Board entered executive session” at 10:02 a.m. It is further found that the minutes for the June 20th special meeting establish that, subsequent to a member of the Board moving to enter executive session, the motion was voted on and passed by the Board “4-0”.

25. It is therefore found that the Board did not improperly commence the June 20th special meeting in executive session and affirmatively voted to enter executive session by a vote of two-thirds of the members of the Board present and voting.

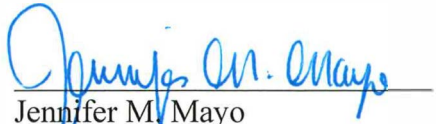
26. Consequently, it is concluded that the respondents did not violate §§1-225(a) or 1-225(f), G.S., with respect to the executive session convened during the June 20th special meeting.

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(f), G.S.

during the contested case hearing, that he was alleging a violation of §1-225(f), G.S., and erroneously cited to the wrong statute.

Approved by Order of the Freedom of Information Commission at its regular meeting of June 10, 2026.

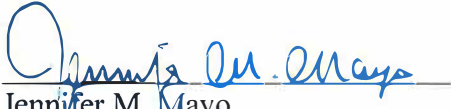

Jennifer M. Mayo
Acting Clerk of the Commission

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:

JOHN TARTAGLIA, 638 Danbury Road #64, Ridgefield, CT 06877

FIRST SELECTPERSON, BOARD OF SELECTPERSONS, TOWN OF RIDGEFIELD; BOARD OF SELECTPERSONS, TOWN OF RIDGEFIELD; AND TOWN OF RIDGEFIELD, c/o Attorney Jason A. Buchsbaum, Cohen and Wolf, P.C., 158 Deer Hill Avenue, Danbury, CT 06810


Jennifer M. Mayo
Acting Clerk of the Commission