

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Kathleen D. Griffin,

Complainant

against

Docket #FIC 2025-0269

Moderator, Representative Town
Meeting, Town of Fairfield;
Representative Town Meeting, Town of
Fairfield; and Town of Fairfield,

Respondents

March 25, 2026

The above-captioned matter was heard as a contested case on October 7, 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 dated April 17, 2025 and filed April 21, 2025, the complainant appealed to this Commission, alleging multiple procedural irregularities related to the respondents' dissolution of the Town of Fairfield's Parking Authority.¹ Specific to the Freedom of Information ("FOI") Act, the complainant alleged that the respondents violated the FOI Act by failing to:
 - (a) timely file minutes of the respondent Representative Town Meeting ("RTM") committee meeting on March 24, 2025 ("March 24th meeting"); and

¹ In her complaint, the complainant alleged violations of the respondent Town of Fairfield's Town Code and the respondent Representative Town Meeting's internal rules, as well as other procedural irregularities. It is found, however, that such allegations are not alleged violations of the Freedom of Information Act 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).

- (b) properly apprise the public that a vote would be taken on an agenda item at the RTM regular meeting on March 31, 2025 (“March 31st meeting”).²

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

- (a) [t]he 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.

....

- (c) [t]he agenda of the regular meetings of every public agency ... shall be available to the public and shall be filed, not less than twenty-four hours before the meetings to which they refer, (1) in such agency's regular office or place of business, and (2) ... in the office of the clerk of such subdivision for any public agency of a political subdivision of the state ... For any such public agency of the state, such agenda shall be posted on the public agency’s and the Secretary of the State’s Internet web sites. Upon the affirmative vote of two-thirds of the members of a public agency present and voting, any subsequent business not included in such filed agendas may be considered and acted upon at such meetings.

4. With regard to the complainant’s allegation described in paragraph 2(a), above, the respondents testified that the minutes for the March 24th meeting were submitted to the Town Clerk on or around April 30, 2025. The respondents also stipulated that the minutes were not publicly available within seven days, as required by §1-225(a), G.S.

² The Commission notes that in her complaint, the complainant also referenced alleged FOI Act violations for meetings of the RTM that occurred on February 18, 2025 and February 24, 2025. It is found, however, that the Commission does not have jurisdiction over any such alleged violations because the complaint was dated April 17, 2025 and filed April 21, 2025, both of which are more than thirty days after the RTM meetings on February 18, 2025 and February 24, 2025. See §1-206(b)(1), G.S. (“A notice of appeal shall be filed not later than thirty days after such denial, except in the case of an unnoticed or secret meeting, in which case the appeal shall be filed not later than thirty days after the person filing the appeal receives actual or constructive notice that such meeting was held....”). Therefore, such alleged violations will not be further addressed herein.

5. The respondents conceded, and it is concluded, that they violated §1-225(a), G.S., by failing to timely post minutes for the March 24th meeting, as alleged by the complainant.

6. With regard to the allegation described in paragraph 2(b), above, it is found that the March 31st meeting was a regular meeting of the RTM. It is also found that the RTM issued a notice and agenda for the March 31st meeting that specified the time and place of such meeting. It is further found that such notice and agenda included item 23, which stated:

“To hear and consider for the first time the following amendments to the Vehicles and Traffic ordinance (Chapter 102 of the Town Code) to take effect as of July 1, 2025, sponsored by Dave Rock, District 2; and Liz Zezima, District 4:

The title of the Article I of Chapter 102 is hereby amended as follows: Article I ~~Parking Authority~~; Operation of Vehicles;

Section 102-1 (Creation of Authority; purpose) is hereby repealed.”

7. The complainant argued that because item 23 did not include the word, “Act”, the notice and agenda failed to properly inform the public that a vote or final action would take place on such agenda item.

8. 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).

9. The Commission notes that, in the context of special meetings, it has consistently held there is no requirement that an agenda, necessarily, declare that action will be taken on a given agenda item in order to properly apprise the public that a vote on such agenda item may occur. See Docket #FIC 2023-0209, Joe Quaranta v. Chairman, Board of Finance, Town of Roxbury, et al. (February 16, 2024); Docket #FIC 2015-534, Patricia Mechare v. Andrea Downs, Chairman, Board of Education, Regional School District 1, et al. (May 11, 2016); Docket #FIC 2007-249, Jay Kronfeld v. Board of Education Regional School District #12 (Nov. 28, 2007); and Docket #FIC 1994-201, Lisa Wlodarski et al. v. Ridgefield Board of Police Commissioners (Mar. 22, 1995).

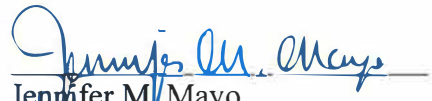
10. It is found that the March 31st meeting agenda fairly apprised the public that the RTM would consider and discuss the possible repeal of the Parking Authority, as described in item 23. It is also found that, upon an affirmative vote of over two-thirds of the members of the RTM present at the March 31st meeting, the RTM properly amended agenda item 23 to “hear, consider and act upon” such agenda item. It is further found that, after properly amending the March 31st meeting agenda, the RTM subsequently voted in favor of item 23, which repealed the Parking Authority.

11. It is concluded, based upon the findings in paragraphs 6 through 10, above, that the respondents did not violate the notice provisions of §1-225(c), G.S., as alleged in the complaint.

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 posting requirements of §1-225(a), G.S.

Approved by Order of the Freedom of Information Commission at its regular meeting of March 25, 2026.



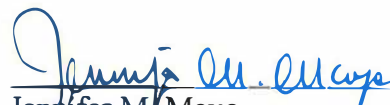
Jennifer M. Mayo
Acting Clerk of the Commission

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:

KATHLEEN D. GRIFFIN, c/o Attorney Nancy Haberly, 30 Duck Farm Road, Fairfield, CT 06824

MODERATOR, REPRESENTATIVE TOWN MEETING, TOWN OF FAIRFIELD; REPRESENTATIVE TOWN MEETING, TOWN OF FAIRFIELD; AND TOWN OF FAIRFIELD, c/o Attorney Philip C. Pires, Cohen and Wolf, P.C., 1115 Broad Street, Bridgeport, CT 06604


Jennifer M. Mayo
Acting Clerk of the Commission