

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Toni Simonetti,

Complainant

against

Docket # FIC 2025-0442

Chair, Board of Finance, Town of Westport;
Board of Finance, Town of Westport; and
Town of Westport,

Respondents

May 13, 2026

The above-captioned matter was heard as a contested case on December 12, 2025, at which time the complainant and the respondents appeared and presented testimony, exhibits and argument on the complaint. The hearing was continued to February 18, 2025, to allow the respondents the opportunity to continue the presentation of their case. However, by email dated February 17, 2025, the complainant notified the Commission that she wished to withdraw her complaint.¹ The Commission takes administrative notice of such withdrawal.

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

1. Based upon the withdrawal, the complaint is dismissed.

¹ The respondents objected to the complainant's withdrawal, stating that "[t]his longstanding matter has continued despite repeated efforts by the Respondents to answer the Complainant's questions, to no avail. Significant time and taxpayer expense has been committed to this matter, and the Respondents have prepared to go forward tomorrow to complete testimony, conclude the Respondent's case and ultimately obtain a final decision confirming the validity of the Town's actions. The facts here apply to many comparable situations, and a decision is of statewide importance for public agencies. The case is 90% complete and should proceed to a conclusion." While the Commission understands the respondents' frustration, it cannot issue a decision when a controversy no longer exists. *See Dep't of Pub. Safety v. Freedom of Info. Comm'n*, 103 Conn. App. 571, 589 (2007)(Commission may only render a final decision in contested cases; where complainant requests no further action, the matter is moot).

Approved by Order of the Freedom of Information Commission at its regular meeting of May 13, 2026.

/S/ Jennifer M. Mayo
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:

TONI SIMONETTI, 27 Evergreen Pkwy., Westport, CT 06880

CHAIR, BOARD OF FINANCE, TOWN OF WESTPORT; BOARD OF FINANCE, TOWN OF WESTPORT; AND TOWN OF WESTPORT, c/o Attorney Nicholas R. Bamonte, Berchem Moses PC, 1221 Post Road East, Westport, CT 06880

/S/ Jennifer M. Mayo
Jennifer M. Mayo
Acting Clerk of the Commission