

TO: Freedom of Information Commission
FROM: Thomas A. Hennick
RE: Minutes of the Commission's regular meeting of April 11, 2018

A regular meeting of the Freedom of Information Commission was held on April 11, 2018, in the Freedom of Information Hearing Room, 18-20 Trinity Street, Hartford, Connecticut. The meeting convened at 2:07 p.m. with the following Commissioners present:

Commissioner Jonathan J. Einhorn, presiding
Commissioner Jay Shaw (participated via speakerphone)
Commissioner Matthew Streeter
Commissioner Christopher P. Hankins
Commissioner Lenny T. Winkler

Also present were staff members, Colleen M. Murphy, Mary E. Schwind, Victor R. Perpetua, Tracie C. Brown, Kathleen K. Ross, Lisa F. Siegel, Valicia D. Harmon, Cindy Cannata, and Thomas A. Hennick.

The Commissioners unanimously voted to approve the Commission's regular meeting minutes of March 28, 2018.

Those in attendance were informed that the Commission does not ordinarily record the remarks made at its meetings, but will do so on request.

[Docket #FIC 2017-0249](#)

Dale Kukucka v. Dora B. Schriro, Commissioner, State of Connecticut, Department of Emergency Services and Public Protection; State of Connecticut, Department of Emergency Services and Public Protection; Commissioner, State of Connecticut, Department of Correction; and State of Connecticut, Department of Correction

Dale Kukucka participated via speakerphone. Craig Washington appeared on behalf of the respondent Department of Correction. The Commissioners unanimously voted to amend the Hearing Officer's Report. The Commissioners unanimously voted to approve the Hearing Officer's Report as amended.* The proceedings were recorded digitally.

[Docket #FIC 2015-130](#)

Maura Mastrony v. Chief, Police Department, City of Bridgeport; Police Department, City of Bridgeport; and City of Bridgeport

The Hearing Officer's Report was withdrawn.

[Docket #FIC 2017-0230](#)

The Connecticut Association of Public School Superintendents v. Police Bureau of Identification, State of Connecticut, Department of Emergency Services and Public Protection; and State of Connecticut, Department of Emergency Services and Public Protection

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

[Docket #FIC 2017-0237](#)

Thomas Potter v. Commissioner, State of Connecticut, Department of Mental Health and Addiction Services; and State of Connecticut, Department of Mental Health and Addiction Services

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

[Docket #FIC 2017-0244](#)

David Eldridge v. Commissioner, State of Connecticut, Department of Emergency Services and Public Protection; and State of Connecticut, Department of Emergency Services and Public Protection

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

[Docket #FIC 2017-0334](#)

J.R. McMullen v. President, Board of Representatives, City of Stamford; Board of Representatives, City of Stamford; and City of Stamford

J.R. McMullen appeared on his own behalf. Attorney Amy Livolsi appeared on behalf of the respondents. The Commissioners unanimously voted to table the matter. The proceedings were recorded digitally.

[Docket #FIC 2017-0453](#)

Michael Harrington v. President, Materials Innovation and Recycling Authority; and Materials Innovation and Recycling Authority

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

[Docket #FIC 2017-0483](#)

Sandra Cady v. Executive Director, Connecticut Lottery Corporation; and Connecticut Lottery Corporation

Sandra Cady appeared on her own behalf. Attorney Matthew Stone appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report.

[Docket #FIC 2017-0567](#)

Robert Cushman, Law Offices of Robert A. Cushman, LLC v. Commissioner, State of Connecticut, Department of Emergency Services and Public Protection; and State of Connecticut, Department of Emergency Services and Public Protection

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

[Docket #FIC 2017-0617](#)

Nancy Kearney v. Chairman, Palmer Point Tax District; and Palmer Point Tax District

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

[Docket #FIC 2017-0737](#)

Michael Perricone v. Branford Housing Authority

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

[Docket #FIC 2017-0740](#)

Elaine Pilon v. Commissioner, State of Connecticut, Department of Correction; and State of Connecticut, Department of Correction

The Commissioners unanimously voted to adopt the Hearing Officer's Report.

The Commissioners unanimously voted to authorize FOI staff counsel to enter into a Settlement Agreement in *Commissioner, State of Connecticut, Department of Revenue Services v. Freedom of Information Commission, et al.* HHB-CV-17-6038781-S.

Colleen M. Murphy reported that Commissioner Jay Shaw had appeared before a legislative committee and that his nomination for another four-year term was on the Senate calendar awaiting action.

Colleen M. Murphy reported the Commissioner Ryan P. Barry had been appointed to a new two year term through 2019.

Colleen M. Murphy reminded commissioners that the annual FOI Conference will be held April 27, 2018 at the Riverhouse in Haddam.

Valicia D. Harmon reported on pending appeals.

Colleen M. Murphy reported on legislation.

The meeting was adjourned at 2:52 p.m.

Thomas A. Hennick
MINREGmeeting 04112018/tah/04112018

AMENDMENTS

[Docket #FIC 2017-0249](#)

Dale Kukucka v. Dora B. Schiro, Commissioner, State of Connecticut, Department of Emergency Services and Public Protection; State of Connecticut, Department of Emergency Services and Public Protection; Commissioner, State of Connecticut, Department of Correction; and State of Connecticut, Department of Correction

The introductory paragraph in the Hearing Officer's Report is amended as follows:

The above-captioned matter was heard as a contested case on October 24, 2017, at which time the complainant and the respondents appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint. The complainant, who is incarcerated, appeared via teleconference, pursuant to the January 2004 memorandum of understanding between the Commission and the Department of Correction. See Docket No. CV 03-0826293, *Anthony Sinchak v. FOIC et al*, Superior Court, J.D. of Hartford at Hartford, Corrected Order dated January 27, 2004 (Sheldon, J.). **THE COMMISSIONER, STATE OF CONNECTICUT, DEPARTMENT OF CORRECTION, AND STATE OF CONNECTICUT, DEPARTMENT OF CORRECTION, WERE INITIALLY NAMED AS RESPONDENTS IN THIS MATTER. HOWEVER, SUCH RESPONDENTS HAD NO ROLE IN THE UNDERLYING MATTER AND DID NOT PARTICIPATE IN THE OCTOBER 27, 2017 HEARING. WITHOUT OBJECTION, THE DOC RESPONDENTS ARE REMOVED AS PARTIES IN THIS MATTER, AND THE CASE-CAPTION HAS BEEN AMENDED ACCORDINGLY.**