

TO: Freedom of Information Commission
FROM: Thomas A. Hennick
RE: Minutes of the Commission's regular meeting of April 25, 2018

A regular meeting of the Freedom of Information Commission was held on April 25, 2018, in the Freedom of Information Hearing Room, 18-20 Trinity Street, Hartford, Connecticut. The meeting convened at 2:10 p.m. with the following Commissioners present:

Commissioner Owen P. Eagan, presiding
Commissioner Jay Shaw (participated via speakerphone)
Commissioner Jonathan J. Einhorn
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, Valicia D. Harmon, Paula S. Pearlman, Cindy Cannata, and Thomas A. Hennick.

The Commissioners voted, 5-0, to approve the Commission's regular meeting minutes of April 11, 2018. Commissioner Einhorn did not participate in this matter.

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 2017-0301](#)

Marcos Gonzalez v. Scott Semple, Commissioner, State of Connecticut, Department of Correction; and State of Connecticut, Department of Correction

The Commissioners voted, 5-0, to adopt the Hearing Officer's Report. Commissioner Einhorn did not participate in this matter.

[Docket #FIC 2017-0416](#)

Michael Daly 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.

[Docket #FIC 2017-0427](#)

Jeremy Steele v. Executive Director, State of Connecticut, University of Connecticut Health Center, Correctional Managed Health Care; and State of Connecticut, University of Connecticut Health Center, Correctional Managed Health Care

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

[Docket #FIC 2017-0498](#)

Constantinos Antonaras v. Chief Public Defender, State of Connecticut, Office of the Public Defender; and State of Connecticut, Office of the Public Defender

Constantinos Antonaras participated via speakerphone. Assistant Attorney General Steven Strom appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were recorded digitally.

[Docket #FIC 2017-0262](#)

W. Mike Stone v. Chairman, Board of Fire Commissioners, Thompsonville Fire District; and Board of Fire Commissioners, Thompsonville Fire District

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

[Docket #FIC 2017-0267](#)

Lorraine Tirella v. Arnold Jensen, Chairman, Planning and Zoning Commission, Town of Oxford; Planning and Zoning Commission, Town of Oxford; and Town of Oxford

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

[Docket #FIC 2017-0290](#)

Robert Young v. First Selectman, Town of New Canaan; and Town of New Canaan

Robert Young appeared on his own behalf. Attorney Nicholas Bamonte appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were recorded digitally.

[Docket #FIC 2017-0313](#)

Robert Young v. Chairman, Utility Commission, Town of New Canaan; Utility Commission, Town of New Canaan; and Town of New Canaan

Robert Young appeared on his own behalf. Attorney Nicholas Bamonte appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were recorded digitally.

[Docket #FIC 2017-0293](#)

Deanna Bouchard v. Arthur Shilosky, First Selectman, Town of Colchester; Board of Selectmen, Town of Colchester; Robert Tarlov, Chairman, Board of Finance, Town of Colchester; Board of Finance, Town of Colchester; and Town of Colchester

Deanna Bouchard appeared on her own behalf. The Commissioners unanimously voted to amend the Hearing Officer's Report. The Commissioners unanimously voted to adopt the Hearing officer's Report as amended.* The proceedings were recorded digitally.

[Docket #FIC 2017-0519](#)

John Carr v. Chairman, Planning and Zoning Commission, Town of Bridgewater; Planning and Zoning Commission, Town of Bridgewater; and Town of Bridgewater

John Carr appeared on his own behalf. Attorney Kari Olsen and Dainius Virbickas appeared on behalf of the respondents. The Commissioners unanimously voted to table the Hearing Officer's Report. The proceedings were recorded digitally.

[Docket #FIC 2017-0685](#)

Joseph Sastre v. Commissioner, State of Connecticut, Department of Motor Vehicles; and State of Connecticut, Department of Motor Vehicles

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

Colleen M. Murphy reported that Commissioner Jay Shaw had been confirmed for another four-year term and that Commissioners Christopher P. Hankins and Ryan P. Barry had been appointed to new two-year terms through 2019.

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

Colleen M. Murphy and Paula S. Pearlman reported on legislation.

The meeting was adjourned at 4:10 p.m.

AMENDMENTS

[Docket #FIC 2017-0293](#)

Deanna Bouchard v. Arthur Shilosky, First Selectman, Town of Colchester; Board of Selectmen, Town of Colchester; Robert Tarlov, Chairman, Board of Finance, Town of Colchester; Board of Finance, Town of Colchester; and Town of Colchester

The Hearing Officer's Report is amended as follows:

[10. It is found that the First Selectman and the other members of the BOS merely attended the BOF's meeting.]

Paragraph 10 is deleted and subsequent paragraphs are renumbered. Paragraph 11 becomes 10, 12 becomes 11 etc.

15. [16.] Based on the foregoing, it is concluded that the BOF **AND THE CHAIRMAN OF THE BOF** violated FOI Act by failing to ensure that the public could adequately identify who was speaking during the May 25th meeting.

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

1. Henceforth, the BOF **AND THE CHAIRMAN OF THE BOF** shall strictly comply with the requirements of §1-225(a), G.S.

2. THE COMPLAINT IS DISMISSED AGAINST THE FIRST SELECTMAN AND THE BOARD OF SELECTMEN.

3. FORTHWITH, THE RESPONDENT BOF, OR ITS DESIGNEE, SHALL ARRANGE FOR A FOI ACT TRAINING SESSION TO BE CONDUCTED BY THE STAFF OF THE FOI COMMISSION. ALL MEMBERS OF THE BOF SHALL ATTEND SUCH TRAINING SESSION. IN ADDITION, THE MEMBERS OF THE BOS ARE STRONGLY ENCOURAGED TO ATTEND THE TRAINING SESSION.