

TO: Freedom of Information Commission
FROM: Thomas A. Hennick
RE: Minutes of the Commission's regular meeting of February 14, 2018

A regular meeting of the Freedom of Information Commission was held on February 14, 2018, in the Freedom of Information Hearing Room, 18-20 Trinity Street, Hartford, Connecticut. The meeting convened at 2:04 p.m. with the following Commissioners present:

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

Also present were staff members, Colleen M. Murphy, Mary E. Schwind, Tracie C. Brown, Kathleen K. Ross, Paula S. Pearlman, Cindy Cannata, and Thomas A. Hennick.

The Commissioners unanimously voted to approve the Commission's regular meeting minutes of January 24, 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 2017-0180](#)

Kacey Lewis v. Chief, Police Department, City of Waterbury;
and Police Department, City of Waterbury

Attorney Richard Scappini appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were recorded digitally.

[Docket #FIC 2017-0185](#)

Cordaryl Silva v. Gerald D. Narowski, Chief, Police Department, City of Derby; Police Department, City of Derby; Commissioner, State of Connecticut, Department of Correction; and State of Connecticut, Department of Correction

The Commissioners unanimously voted to amend the Hearing Officer's Report. The Commissioners unanimously voted to adopt the Hearing Officer's Report as amended.*

[Docket #FIC 2017-0247](#)

William Wilkins v. Chief, Police Department, City of New Haven; Police Department, City of New Haven; Commissioner, State of Connecticut, Department of Correction; and State of Connecticut, Department of Correction

William Wilkins participated via speakerphone. Attorney Kathleen Foster appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report as amended.* The proceedings were recorded digitally.

[Docket #FIC 2017-0153](#)

Joe Wojtas and the Day of New London v. First Selectman, Town of Stonington; and Town of Stonington

The Commissioners unanimously voted to amend the Hearing Officer's Report. The Commissioners unanimously voted to adopt the Hearing Officer's Report as amended.*

[Docket #FIC 2017-0169](#)

Alexander Wood, Doreen Guarino, Tim Leininger and the Manchester Journal Inquirer v. Chief, Police Department, Town of Enfield; Police Department, Town of Enfield; and Town of Enfield

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

[Docket #FIC 2017-0225](#)

Robert Kalechman v. Board of Selectmen, Town of Simsbury; and Town of Simsbury

The Commissioners removed the matter from the agenda.

[Docket #FIC 2017-0306](#)

Ann Rubin v. First Selectman, Town of East Windsor; and Town of East Windsor

Ann Rubin appeared on her own behalf. Attorney Mark Sommaruga appeared on behalf of the respondents. The Commissioners unanimously voted to table the Hearing Officer's Report. The proceedings were recorded digitally.

[Docket #FIC 2017-0308](#)

Danielle Morfi v. First Selectman, Town of North Haven; Chairman, Middle School Building Committee, Town of North Haven; and Town of North Haven

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

[Docket #FIC 2017-0311](#)

Jeff Winter v. Peter Bass, as member, Town Council, Town of New Milford; Town Council, Town of New Milford; and Town of New Milford

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

[Docket #FIC 2017-0318](#)

Stacey Joseph v. Chairman, Planning and Zoning Commission, Town of Stafford; Planning and Zoning Commission, Town of Stafford; and Town of Stafford

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

[Docket #FIC 2017-0327](#)

Marcia Banach v. Mayor, Town of South Windsor; Town Council, Town of South Windsor; and Town of South Windsor

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

[Docket #FIC 2017-0419](#)

Charles Talmadge v. David Mills, Chairman, Real Estate Committee, Bristol City Council; Real Estate Committee, Bristol City Council; and City of Bristol

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

[Docket #FIC 2017-0469](#)

John Moise v. Chairman, Town Council, Town of Southington; and Town Council, Town of Southington

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

[Docket #FIC 2017-0484](#)

Seth Wolfe v. Commissioner, State of Connecticut, Department of Public Health; and State of Connecticut, Department of Public Health

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

[Docket #FIC 2017-0528](#)

Claire Bessette and The Day v. General Manager,
Norwich Public Utilities; and Norwich Public Utilities

Claire Bessette appeared on behalf of the complainants. Attorney Joseph Schwartz appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report without prejudice. The proceedings were recorded digitally.

Tracie C. Brown reported on the New Britain Superior Court Memorandum of Decision in *City of Meriden v. Freedom of Information Commission*, dated January 29, 2018.

Colleen M. Murphy and Tracie C. Brown reported on the New Britain Superior Court Memorandum of Decision in *Montville Police Department v. Freedom of Information Commission and Robert A. Cushman*, dated February 1, 2018.

Colleen M. Murphy reported on pending appeals.

Colleen M. Murphy reported on the start of the 2018 legislative session.

The meeting was adjourned at 3:22 p.m.

Thomas A. Hennick
MINREGmeeting 02142018/tah/02152018

*SEE ATTACHED FOR AMENDMENTS

AMENDMENTS

[Docket #FIC 2017-0185](#)

Cordaryl Silva v. Gerald D. Narowski, Chief, Police Department, City of Derby; Police Department, City of Derby; Commissioner, State of Connecticut, Department of Correction; and State of Connecticut, Department of Correction

The Hearing Officer's report is amended as follows:

8. It is found that prior to and at the hearings in this matter, there was some confusion among the parties as to what records were being sought by the complainant, **AND** whether such **RECORDS WERE** previously provided to the complainant.

[Docket #FIC 2017-0153](#)

Joe Wojtas and the Day of New London v. First Selectman, Town of Stonington; and Town of Stonington

The Hearing Officer's report is amended as follows:

The above-captioned matter was heard as a contested case on May 17, 2017, at which time the complainants and the respondents appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint.

THE HEARING OFFICER ISSUED A REPORT OF HEARING OFFICER ON JANUARY 18, 2018. ON FEBRUARY 12, 2018, THE COMPLAINANTS FILED A WITHDRAWAL OF THE COMPLAINT IN THIS MATTER. THE COMMISSION TAKES ADMINISTRATIVE NOTICE OF SUCH WITHDRAWAL.

All remaining paragraphs are deleted until the recommended order which is amended as follows:

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

1. BASED ON THE WITHDRAWAL OF THE COMPLAINT, THE COMPLAINT IS HEREBY DISMISSED.

[1. The respondents shall forthwith provide the complainants with a copy of the records comprising the original report, as referenced in paragraph 9 of the findings, above.]