

TO: Freedom of Information Commission
FROM: Cynthia A. Cannata
RE: Minutes of the Commission's regular meeting of October 28, 2020

A regular meeting of the Freedom of Information Commission was held on October 28, 2020. Due to public health concerns surrounding the COVID-19 pandemic, the Commission Meeting of October 28, 2020 was conducted telephonically. The meeting convened at 2:07 p.m. with the following Commissioners present:

Commissioner Owen P. Eagan, presiding
Commissioner Jonathan J. Einhorn
Commissioner Matthew Streeter
Commissioner Christopher P. Hankins
Commissioner Lenny T. Winkler
Commissioner Stephen Fuzesi Jr.
Commissioner Victoria W. Chavey

Also present were staff members, Colleen M. Murphy, Mary E. Schwind, Victor R. Perpetua, Valicia D. Harmon, Kathleen K. Ross, Paula S. Pearlman, Matthew D. Reed, Danielle L. McGee, Thomas A. Hennick, and Cynthia A. Cannata.

The Commissioners unanimously voted to approve the Commission's regular meeting minutes of [September 23, 2020](#).

Those in attendance were informed that the October 28, 2020 regular meeting of the Commission was being recorded.

[Docket #FIC 2019-0628](#)

John Vivo III v. Rollin Cook, Commissioner,
State of Connecticut, Department of Correction;
and State of Connecticut, Department of
Correction

John Vivo III appeared on his own behalf. Attorney Tracie C. Brown appeared on behalf of the respondents. 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 digitally recorded.

Docket #FIC 2019-0688

Earl Thompson v. Chief, Police Department,
Town of Bloomfield; Police Department, Town
of Bloomfield; and Town of Bloomfield

The Commissioners unanimously voted to **table** the matter.

[Docket #FIC 2019-0413](#)

Claire Howard v. Director of Public Records, State of Connecticut, University of Connecticut; and State of Connecticut, University of Connecticut.

Claire Howard appeared on her own behalf. Attorney Nathan LaVallee appeared on behalf of the respondents. 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 digitally recorded.

[Docket #FIC 2019-0735](#)

Joe Belletti v. Chairman, Board of Education, Seymour Public Schools; Board of Education, Seymour Public Schools; and Seymour Public Schools

The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

Colleen M. Murphy and Victor R. Perpetua reported on the Court Order, dated October 5, 2020, in *Kristen Festa v. State of Connecticut, Freedom of Information Commission, et. al.* [HHB-CV20605897-S](#).

Colleen M. Murphy and Valicia D. Harmon reported on the Court Order, dated October 14, 2020, in *James Torlai v. State of Connecticut, Freedom of Information Commission, et. al.* [HHB-CV195026923-S](#).

Victor R. Perpetua reported on pending appeals.

Colleen M. Murphy reported that contested cases had resumed telephonically, that the number of cases being scheduled are increasing, and that progress was being made toward holding those hearings and Commission meetings via video conference.

Colleen M. Murphy reported that the relocation of Commission offices would, in all likelihood, not occur until spring of 2021.

Paula S. Pearlman provided a legislative report.

The meeting was adjourned at 2:50 p.m.

Cynthia A. Cannata
MINREGmeeting 10/28/2020

AMENDMENTS

Docket #FIC 2019-0628

John Vivo III v. Rollin Cook, Commissioner,
State of Connecticut, Department of Correction;
and State of Connecticut, Department of
Correction

The Hearing Officer's Report in paragraph 2 is amended as follows:
to add a footnote after the date, October 16, 2019 with the following language:

ON MARCH 25, 2020, THE GOVERNOR ISSUED EXECUTIVE ORDER 7M, THEREBY SUSPENDING THE PROVISIONS OF CONN. GEN. STAT. SEC. 1-206(b)(1), WHICH REQUIRES THE FREEDOM OF INFORMATION COMMISSION TO HEAR AND DECIDE AN APPEAL WITHIN ONE YEAR AFTER THE FILING OF SUCH APPEAL. EXECUTIVE ORDER 7M IS APPLICABLE TO ANY APPEAL PENDING WITH THE COMMISSION ON THE ISSUANCE DATE AND TO ANY APPEAL FILED ON OR AFTER SUCH DATE, FOR THE DURATION OF THE CURRENT PUBLIC HEALTH AND CIVIL PREPAREDNESS EMERGENCY. CONSEQUENTLY, THE COMMISSION RETAINS JURISDICTION.

Docket #FIC 2019-0413

Claire Howard v. Director of Public Records, State
of Connecticut, University of Connecticut; and
State of Connecticut, University of Connecticut.

The Hearing Officer's Report in order number 1 is amended as follows:

1. [Henceforth, the respondents shall strictly comply with §§1-210(a) and 1-212(a), G.S.]
THE COMPLAINT IS HEREBY DISMISSED.