

TO: Freedom of Information Commission
FROM: Thomas A. Hennick
RE: Minutes of the Commission's regular meeting of March 24, 2021

A regular meeting of the Freedom of Information Commission was held on March 24, 2021. Due to public health concerns surrounding the COVID-19 pandemic, the Commission meeting of March 24, 2021 was conducted telephonically. The meeting convened at 2:04 p.m. with the following Commissioners present:

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

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

The Commissioners unanimously voted to approve the Commission's regular meeting minutes of [March 10, 2021](#).

Those in attendance were informed that the March 24, 2021 regular meeting of the Commission was being recorded.

[Docket #FIC 2016-0638](#) Kevin Kelly v. Commissioner, State of Connecticut, Department of Insurance; and State of Connecticut, Department of Insurance

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

[Docket #FIC 2019-0161](#) Rachel de Leon v. Chief, Police Department, City of Bridgeport; Police Department, City of Bridgeport; and City of Bridgeport

Attorney Alexa Millinger appeared on behalf of the complainant. Attorney Dina Scalo appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2019-0599](#)

Michael Sinnott v. Building Official, Town of Stratford; Office of the Building Official, Town of Stratford; and Town of Stratford

Michael Sinnott appeared on his own behalf. Attorney Alfred Bruno appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were recorded digitally.

[Docket #FIC 2019-0725](#)

Jacqueline Hudson v. Principal, Martin Kellogg Middle School, Newington Public Schools; Martin Kellogg Middle School, Newington Public Schools; and Newington Public Schools

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

[Docket #FIC 2020-0109](#)

Kathryn Zandri v. Chairman, Town Council, Town of Prospect; Town Council, Town of Prospect; and Town of Prospect

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

[Docket #FIC 2020-0154](#)

John Cilio v. Chairman, Senior Housing Commission, Town of Sherman; and Town of Sherman

John Cilio appeared on his own behalf. Don Lowe 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.

Colleen M. Murphy and Attorney Valicia D. Harmon reported on the Supreme Court opinion in *City of Meriden et al. v. Freedom of Information Commission et al.* ([SC 20378](#)) (March 12, 2021).

Colleen M. Murphy and Attorney Paula S. Pearlman reported on the Superior Court Decision in *Lowther v. Freedom of Information Commission*, Docket # [HHBCV176041629S](#) (March 5, 2021), Commission's Motion for Clarification dated March 10, 2021, and [Court Order](#) dated March 10, 2021.

Colleen M. Murphy reported that Commission staff is continuing to refine its process for holding remote video hearings and that all remote hearings should be done with video by the end of April.

Colleen M. Murphy reported that the relocation of Commission offices is scheduled for May 28, 2021. Attorney Murphy reported that the process of organizing for the move had begun, that there would be no contested case hearings scheduled the last two weeks of May and that the Commission meeting scheduled for May 26 would be cancelled.

Paula S. Pearlman reported on several pieces of proposed legislation of interest to the Commission including several codifying the use of virtual platforms to hold meetings of public agencies.

Colleen M. Murphy reported that new Staff Attorney Charles Hyde would be joining the staff on March 26. Attorney Murphy also reported that the agency was working to fill its current vacancy with a Staff Attorney II position.

The meeting was adjourned at 3:12 p.m.

Thomas A. Hennick

MINREGmeeting 03242021/tah/03252021

* See attached for amendments

AMENDMENTS

Docket #FIC 2020-0154

John Cilio v. Chairman, Senior Housing Commission,
Town of Sherman; and Town of Sherman

The Hearing Officer's Report is amended as follows:

22. It is found that January [27] **20**, 2020 was Martin Luther King Day, a federal holiday. Thus, if the respondent commission had a scheduled regular meeting for January [27] **20**, 2020, such regular meeting should not have taken place on such day, by operation of law. However, the respondents did not have a regular meeting scheduled for such holiday.

24. [It is concluded that §1-230, G.S., does not prohibit a public agency from conducting a special meeting on a holiday.] Accordingly, it is concluded that the respondents did not violate §1-230, G.S., as alleged in paragraph 3.c, above.