

TO: Freedom of Information Commission
FROM: Jennifer M. Mayo
RE: Minutes of the Commission's regular meeting of January 25, 2023.

A regular meeting of the Freedom of Information Commission was held on January 25, 2023. The Commission meeting of January 25, 2023 was conducted in person. The meeting convened at 2:02 p.m. with the following Commissioners present:

Commissioner Owen P. Eagan, presiding
Commissioner Matthew Streeter
Commissioner Christopher P. Hankins (participated by telephone)
Commissioner Stephen Fuzesi, Jr. (participated by telephone)

Also present were staff members, Colleen M. Murphy, Mary E. Schwind, Kathleen K. Ross, Valicia D. Harmon, Paula S. Pearlman, C. Zack Hyde, Kate Smith, Kevin W. Munn, and Jennifer Mayo.

The Commissioners unanimously voted to approve the Commission's special meeting minutes of January 13, 2023.

Those in attendance were informed that the January 25, 2023, regular meeting of the Commission was being recorded.

[Docket #FIC 2020-0656](#) Latuan Gainey v. Kenneth Keroack, Sergeant, Police Department, City of Waterbury; Police Department, City of Waterbury; and City of Waterbury

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

[Docket #FIC 2020-0421](#) Salvatore Coppola v. Chief, Police Department, City of Derby; Police Department, City of Derby; and City of Derby

Salvatore Coppola appeared on his own behalf. Attorney John Marini appeared on behalf the City of Derby. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

Docket #FIC 2020-0504 Jenn Haythorn and Gregg Haythorn v. Chairman, Board of Finance, Town of Weston; Board of Finance, Town of Weston; and Town of Weston

Jenn Haythorn appeared on her own behalf. Attorney Nicholas Bamonte appeared on behalf of the Respondents. The Commissioners unanimously voted to amend the Hearing Officer's Report.* The Commissioners unanimously voted to remand the Hearing Officer's Report back to the hearing officer to obtain evidence from members of the Board of Finance, in a manner deemed appropriate by the hearing officer, after taking into account the Commission's discussion on the matter.

[Docket #FIC 2021-0303](#) Bill Effros v. Chairman, Planning and Zoning Commission, Town of Greenwich; Planning and Zoning Commission, Town of Greenwich; and Town of Greenwich

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 2022-0050](#) Katherine Camara and Rose Soboleski v. Mark A. Raimo, State Marshal

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

[Docket #FIC 2022-0056](#) Robert Schacht and Millers Pond Company, LLC v. Barry Weiner, Chairman, Water and Water Pollution Control Authority, City of New London; Marianna McGuirk, Executive Assistant, Water and Water Pollution Control Authority, City of New London; and Water and Water Pollution Control Authority, City of New London

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

[Docket #FIC 2022-0075](#) Paul Calebaugh v. Town Clerk, Town of East Granby; and Town of East Granby

Paul Calebaugh appeared on his own behalf. Attorney Scott Lingenfelter appeared on behalf of the Respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2022-0110](#) Kevin Cox v. Chairman, Board of Education, Oxford Public Schools; Board of Education, Oxford Public Schools; and Oxford Public Schools

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

[Docket #FIC 2022-0141](#) Richard Morin v. Acting Warden, Board of Warden & Burgesses, Borough of Litchfield; and Borough Treasurer, Board of Warden and Burgesses, Borough of Litchfield

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

[Docket #FIC 2022-0218](#) Frank Bell v. Inspector, Health Department, City of New Britain; Health Department, City of New Britain; and City of New Britain

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

The Commissioners unanimously voted to approve the Request to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §§1-206(b)(2)(C) and 1-206(b)(2)(B) in *Gregg and Jennifer Haythorn v. Facility Optimization Committee, Town of Weston; and Town of Weston*, Docket # FIC 2022-0051.

The Commissioners unanimously voted to approve the Request to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §§1-206(b)(2)(C) and 1-206(b)(2)(B) in *Gregg and Jennifer Haythorn v. Superintendent of Schools, Weston Public Schools; Weston Public Schools; and Board of Education, Weston Public Schools*, Docket # FIC 2022-0079.

The Commissioners unanimously voted to approve the Request to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2)(A) in *Sherry Frazier v. Clay Arsenal Revitalization Association*, Docket # FIC 2022-0086.

The Commissioners unanimously voted to approve the Request to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2)(A) in *Katherine Camara; and Rose Soboleski v. Mark A. Raimo, State Marshal*, Docket # FIC 2022-0105.

The Commissioners unanimously voted to approve the Request to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2)(A) in *Louis Dimuzio v. The Connecticut Fire Photographers Association*, Docket # FIC 2022-0256.

The Commissioners unanimously voted to approve the Request to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2)(A) in *Eric Marsh v. Chief, Police Department, Town of Windsor Locks; Police Department, Town of Windsor Locks; and Town of Windsor Locks*, Docket # FIC 2022-0263.

The Commissioners unanimously voted to approve the Request to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2)(A) in *Raymond Cerilli v. Commissioner, State of Connecticut, Department of Correction; State of Connecticut, Department of Correction; Administrator, State of Connecticut, University of Connecticut Health Center; and* , Docket # FIC 2022-0359.

The Commissioners unanimously voted to approve the Request to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2)(A) in *Marli Rudko v. Andreas Bisbikos, First Selectman, Town of Colchester; Franchesca Brown, Executive Assistant, Town of Colchester; and Town of Colchester*, Docket # FIC 2022-0386.

Attorney Valicia D. Harmon reported on pending appeals.

Executive Director and General Counsel Colleen M. Murphy reported that the Commission is getting closer to filling the Director of Education and Communications position.

The meeting was adjourned at 4:32 p.m.

Jennifer M. Mayo

MINREGmeeting 1/27/2023/jmm

*See attached for amendments

AMENDMENTS

Docket #FIC 2020-0504 Jenn Haythorn and Gregg Haythorn v. Chairman, Board of Finance, Town of Weston; Board of Finance, Town of Weston; and Town of Weston

Paragraph 4 of the Hearing Officer's Report is amended as follows:

4. It is found that, by email dated September 15, 2020, the complainants requested a copy of all **DELETED** emails from Board of Finance members' town email accounts between the dates February 1, 2020, and September 15, 2020.

Docket #FIC 2021-0303 Bill Effros v. Chairman, Planning and Zoning Commission, Town of Greenwich; Planning and Zoning Commission, Town of Greenwich; and Town of Greenwich

The first paragraph of the Hearing Officer's Report is amended as follows:

By letter of complaint, received and filed by the Commission on June 4, 2021, the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information ("FOI") Act by failing to provide a copy of a certain public record.¹ On July 22, 2022, the respondents moved to dismiss the matter without a hearing pursuant to §1-206(b)(4), G.S. The complainant did not file a written objection to such motion. **HOWEVER, BY EMAIL DATED JANUARY 24, 2023, THE COMPLAINANT WITHDREW HIS COMPLAINT. THE COMMISSION TAKES ADMINISTRATIVE NOTICE OF SUCH EMAIL.**

Delete the second paragraph and paragraphs 1-5.

Paragraph 1 of the order in the Hearing Officer's Report is amended as follows:

1. The [action of the respondents is confirmed, and the] complaint is dismissed [pursuant to §1-206(b)(4)(A), G.S].
