

TO: Freedom of Information Commission
FROM: Jennifer M. Mayo
RE: Minutes of the Commission's regular meeting of February 22, 2023.

A regular meeting of the Freedom of Information Commission was held on February 22, 2023. The Commission meeting of February 22, 2023 was conducted in person. The meeting convened at 2:04 p.m. with the following Commissioners present:

Commissioner Owen P. Eagan, presiding
Commissioner Matthew Streeter
Commissioner Christopher P. Hankins
Commissioner Stephen Fuzesi, Jr.
Commissioner Jonathan J. Einhorn (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, Barbara Housen, Cynthia A. Cannata, and Jennifer Mayo.

The Commissioners unanimously voted to approve the Commission's regular meeting minutes of February 8, 2023.

Those in attendance were informed that the February 22, 2023, regular meeting of the Commission was being recorded.

[Docket #FIC 2020-0212](#) Joshua Smith v. Commissioner, State of Connecticut, Department of Correction; and State of Connecticut, Department of Correction

Joshua Smith appeared on his own behalf and participated via telephone. Attorney Tracie C. Brown appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2021-0005](#) Victor Velasco v. Angel Quiros, Commissioner, State of Connecticut, Department of Correction; and State of Connecticut, Department of Correction

Victor Velasco appeared on his own behalf and participated via telephone. Attorney Tracie C. Brown appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2021-0006](#) Victor Velasco v. Angel Quiros, 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. The proceedings were digitally recorded.

[Docket #FIC 2022-0113](#) John Kaminski v. Commissioner, State of Connecticut, Department of Administrative Services; and State of Connecticut, Department of Administrative Services

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

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 2020-0659](#) Bobby Simmons v. Office of the City Attorney, City of Bridgeport; and City of Bridgeport

Attorney Dina Scalo 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 2021-0153](#) Preston Shultz v. Board of Finance, Town of Woodstock; and Town of Woodstock

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

[Docket #FIC 2021-0175](#) Robert Cushman v. Jason Thody, Chief, Police Department, City of Hartford; Police Department, City of Hartford; and City of Hartford

This matter was removed from the agenda by staff in advance of the meeting.

[Docket #FIC 2022-0104](#) Joseph Sargent v. Chief, Police Department, City of Bridgeport; Police Department, City of Bridgeport; and City of Bridgeport

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

[Docket #FIC 2022-0126](#) Christopher Tobia v. Director of Human Resources, City of New Haven; Director of Parks and Public Works, City of New Haven; and City of New Haven

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

[Docket #FIC 2022-0127](#) Anita Arakelian v. Chair, Board of Education, West Hartford Public Schools; Board of Education, West Hartford Public Schools; Director of Finance and Planning, West Hartford Public Schools; and Superintendent of Schools, West Hartford Public Schools

Anita Arakelian appeared on her own behalf. Attorney Cynthia Lauture appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2022-0146](#) Shannon Sylvestre v. Chairman, Board of Education, Killingly Public Schools; and Board of Education, Killingly Public Schools

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

[Docket #FIC 2022-0174](#) Polly Nugent v. Chief, Police Department, Town of Guilford; Police Department, Town of Guilford; and Town of Guilford

Attorney Mark Sommaruga appeared on behalf of the complainant. Attorney Tucker McWeeny appeared on behalf of the respondents. The Commissioners voted 3-2 against the Hearing Officer's report. Commissioner Streeter and Commissioner Fuzesi, Jr. voted to adopt. The Commissioners voted 4-0 to direct the Hearing Officer to redraft the decision, taking into account the Commission's discussion and vote on the proposed Hearing Officer's Report. Commissioner Streeter did not participate in the vote.

[Docket #FIC 2022-0181](#) Anita Arakelian v. Superintendent of Schools, West Hartford Public Schools; West Hartford Public Schools; Director of Finance, Town of West Hartford; and Town of West Hartford

Anita Arakelian appeared on her own behalf. Attorney Cynthia Lauture appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

The Commissioners took no action on 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 *David Godbout v. Board of Assessment Appeals, Town of East Lyme; and Town of East Lyme*, Docket # FIC 2019-0574, as the matter was withdrawn on February 21, 2023.

The Commissioners took no action on 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 *David Godbout v. Chairman, Board of Education, East Lyme Public Schools; and Board of Education, East Lyme Public Schools*, Docket # FIC 2020-0170, as the matter was withdrawn on February 21, 2023.

The Commissioners took no action on the Request to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2)(C) in *David Godbout v. Policy Review Committee, Board of Education, East Lyme Public Schools; and East Lyme Public Schools*, Docket # FIC 2022-0116, as the matter was withdrawn on February 21, 2023.

The Commissioners took no action on the Request to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2)(C) in *David Godbout v. Beth Kyle, Voter Registrar's Office, Town of West Hartford; Essie Labrot, Clerk, Town of West Hartford; Denise Merrill, Secretary of the State, State of Connecticut, Office of the Secretary of the State; and State of Connecticut, Office of the Secretary of the State*, Docket # FIC 2022-0144, as the matter was withdrawn on February 21, 2023.

The Commissioners took no action on the Request to Summarily Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2)(C) in *David Godbout v. Policy Review Committee, Chairman, Board of Education, East Lyme Public Schools; and East Lyme Public Schools*, Docket # FIC 2022-0153, as the matter was withdrawn on February 21, 2023.

Executive Director and General Counsel Colleen M. Murphy reported that the Commission's new Director of Education and Communications Russell Blair will start on February 24, 2023. Executive Director and General Counsel Colleen M. Murphy also reported that the Commission is moving forward in the process to hire a new secretary.

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

Jennifer M. Mayo

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

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

Report of Hearing Officer
AFTER REMAND

Docket #FIC 2020-0659 Bobby Simmons v. Office of the City Attorney, City of Bridgeport; and City of Bridgeport

The Hearing Officer's Report is amended as follows:

12. At the December 14, 2021 hearing, the complainant contended that the respondents did not promptly provide him with all responsive records. The complainant also contended that, because the [complainant] **RESPONDENTS** failed to provide any records until one day prior to the hearing, he had no opportunity to review the records to determine whether all responsive records were provided. The respondents disputed the complainant's contention that all responsive records were not promptly provided. In light of the foregoing, the hearing was continued to allow the complainant time to review the records provided by the respondents.

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

1. Within [seven] **FOURTEEN** days of the Notice of Final Decision in this matter, the respondents shall conduct a search for records responsive to the complainant's request for contracts and agreements for the performance of legal services between Mark T. Anastasi and the City of Bridgeport for the period of July 1, 2020 through December 31, 2020. If such records are located, the respondents shall forthwith provide a copy of such records to the complainant, free of charge. If no such records are located, the respondents shall forthwith provide to the complainant an affidavit from the individual who conducted the search, describing the nature and scope of such search, and indicating that no such records exist.