

TO: Freedom of Information Commission
FROM: Russell Blair
RE: Minutes of the Commission's regular meeting of February 26, 2025

A regular meeting of the Freedom of Information Commission was held on February 26, 2025. The Commission meeting of February 26, 2025 was conducted in person. The meeting convened at 2:04 p.m. with the following Commissioners present:

Commissioner Owen P. Eagan, presiding
Commissioner Jonathan J. Einhorn
Commissioner Kate Farrish
Commissioner Stephen Fuzesi Jr.
Commissioner Judith Ganswindt
Commissioner Christopher P. Hankins
Commissioner Thomas A. Hennick
Commissioner Matthew Streeter (participated via speakerphone)

Also present were staff members Colleen M. Murphy, Paula S. Pearlman, Valicia D. Harmon, Danielle L. McGee, C. Zack Hyde, Nicholas A. Smarra, Marybeth G. Sullivan, Paul V. Arce, J. Max McCann, Jennifer Mayo and Russell Blair.

The Commissioners voted 7-0 to approve the Commission's regular meeting minutes of February 13, 2025. Commissioner Streeter abstained from the vote.

Those in attendance were informed that the February 26, 2025 regular meeting of the Commission was being recorded.

Docket #FIC 2024-0169 Jan Gawlik 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 2024-0285 Carlton Henderson v. Jay DelGrosso, Chief, Police Department, Town of Stonington; Police Department, Town of Stonington; and Town of Stonington

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

Docket #FIC 2024-0130 Kathleen Boulware v. First Selectman, Board of Selectmen, Town of East Haddam; Board of Selectmen, Town of East Haddam; and Town of East Haddam

Attorney Stanley K. Peck appeared on behalf of the complainant. Certified Legal Intern Jeremy A. Gustafson and Attorney Timothy M. Herbst appeared on behalf of the respondents. The Commissioners unanimously voted to correct the Hearing Officer's Report. The Commissioners unanimously voted to adopt the Hearing Officer's Report as corrected.* The proceedings were digitally recorded.

[Docket #FIC 2024-0131](#) Suzanne Irwin v. Chair, Kent Memorial Library Commission, Town of Suffield; Kent Memorial Library commission, Town of Suffield; and Town of Suffield

Suzanne Irwin appeared on her own behalf. Attorney Eric Duey appeared on behalf of the respondents. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2024-0138](#) Sherry Frazier v. Chief, Police Department, City of Hartford; Police Department, City of Hartford; and City of Hartford

Sherry Frazier appeared on her own behalf. Attorney Natalie Reichle appeared on behalf of the respondents. The Commissioners unanimously voted to deny the complainant's request for a continuance. The Commissioners unanimously voted to adopt the Hearing Officer's Report. The proceedings were digitally recorded.

[Docket #FIC 2024-0213](#) Todd Helems v. Chairman, Enfield Board of Assessment Appeals, Town of Enfield; Enfield Board of Assessment Appeals, Town of Enfield; and Town of Enfield

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

[Docket #FIC 2024-0428](#) Gary Levine v. Chief, Police Department, City of Norwich; Police Department, City of Norwich; and City of Norwich

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

The Commissioners unanimously voted to Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2) in *Cambridge Properties v. Director of Health, Health Department, Town of Stratford; Health Department, Town of Stratford; and Town of Stratford*, Docket #FIC 2024-0791.

The Commissioners unanimously voted to Deny Leave to Schedule a Hearing Pursuant to Connecticut General Statutes §1-206(b)(2) in *Cambridge Properties v. Chief, Police Department, City of Bridgeport; Police Department, City of Bridgeport; and City of Bridgeport*, Docket #FIC 2024-0805.

Executive Director and General Counsel Colleen M. Murphy introduced Jonathan Max McCann, who had recently joined the Commission as a Staff Attorney.

Commissioner Kate Farrish reported that a committee with representatives from the Freedom of Information Commission, the Connecticut Foundation for Open Government, the Connecticut Council on Freedom of Information and the Connecticut Society of Professional Journalists had been meeting and will collaborate this year on a promotional campaign and events to celebrate the 50th anniversary of the passage of the Freedom of Information.

The meeting was adjourned at 3:14 p.m.

/s/ Russell Blair
Russell Blair

CORRECTIONS*

Docket #FIC 2024-0130

Kathleen Boulware v. First Selectman, Board of Selectmen, Town of East Haddam; Board of Selectmen, Town of East Haddam; and Town of East Haddam

Paragraphs 2, 4 and 17 of the Hearing Officer's Report are amended as follows:

2. It is found that, by letter dated January 19, 2024 ("January 19th request"), the complainant requested "an opportunity to inspect or obtain copies of public records that relate to [the East Haddam Ambulance Association, Inc. ('EHAA')]. Specifically, the complainant requested:

[a]n accounting [of] all legal expenses incurred by the Town of East Haddam and the East Haddam Fire Department since Nov. 21 charged by Attorney Timothy Herbst and his legal firm, Marino, Zabel & Schellenberg, LLC [SIC] for the period of November 1, 2021 through January 19, 2024. These need to include statements broken down by month and copies of each invoice.

4. It is found that, by letter dated February 8, 2024 ("February 8th request"), the complainant responded that she wished to inspect responsive records before deciding which specific records she would pay for to obtain copies. It is also found that, in that same letter, the complainant specified that:

[i]n a January 19th letter I made an FOI request for an accounting [of] all legal expenses incurred by the Town of East Haddam and the East Haddam Fire Department since Nov. 21 charged by Attorney Timothy Herbst and his legal firm, Marino, Zabel & Schellenberg, LLC [SIC] for the period of November 1, 2021 through January 19, 2024. These needed to include statements broken down by month and copies of each invoice.

17. It is found that Attorney Herbst became the respondent Town of East Haddam's ("East Haddam") attorney on or around June 1, 2022, and prior to such date, East Haddam was represented by an attorney at a different law firm. It is also found that while the complainant's records request was limited to Attorney Herbst and his law firm, Marino Zabel & Schellenberg, [P]LLC ("MZS"), the date range for such request dated back to November 1, 2021. It is further found that the legal issues that exist between the EHAA and East Haddam predate Attorney Herbst's time as East Haddam's attorney.²