


REC'D & FILED

JUL 13 2017

Freedom of Information Comm.
BY 

Haddam 12 July 2017

To: FOIA Commission

From: Ed Schwing, Complainant, 143 Church Hill Road, Haddam, CT 06438, 860-345-2730.

Respondents: Building Committee Chair Geoffrey Muthersbaugh - Haddam First Selectman
Lizz Milardo, 30 Field Park Drive, Haddam, CT 06438

Complaint:

On June 14, 2017 the Haddam Buildings Committee illegally closed part of their meeting to the public present at the time, by holding an executive session for an improper purpose, in violation of the FOIA.

The reason given for the executive session, as posted on the town website calendar under item 4 was "Executive Session: to create short list of RFQ/RFP proposals for Scovil Hoe."

I had previously requested that that section of the meeting be open to the public present, given the public's interest in knowing how the committee members were going to choose the top three companies, but Chairman Muthersbaugh politely declined my request (see attached email Muthersbaugh to Ed Schwing dated June 14, 2017.)

In addition, there were no motions filed 48 hours after that meeting, neither were minutes filed seven days after the meeting took place with the Haddam Town Clerk's office.

Subsequent to that meeting according to the town website calendar, the Building Committee held two additional meetings, one on June 21 and one on June 22 both of which did not have agendas posted 24 hours prior, or minutes filed seven days after, with the Town Clerk's office in violation of the FOIA.

Beyond not understanding the basic FOIA requirements, I also believe the Building Committee is using the executive session to hide from public scrutiny how they make their decisions and therefore deprives the public of its right to know.

I request that the decisions made at those meetings be rescinded and new meetings held, properly noticed, open to the public and with minutes filed at the Haddam Town Clerk's office.

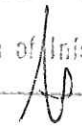
Sincerely



Ed Schwing

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JUL 26 2017

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JUL 13 2017

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BY *[Signature]*

From: Jeffrey E. Muthersbaugh [mailto:jeffmuth@aol.com]
Sent: Wednesday, June 14, 2017 10:08 AM
To: eschwing68@comcast.net

Hi Ed:

I'm sorry for the delay in getting back to you. I was out of town yesterday. I also wanted to gather input from the committee.

The reason that we evaluate these proposals in Executive Session is not to "hide" anything from the public. We have a number of firms who have sent in proposals and having them present (which they could be in open session) could stifle open comments and concerns on the proposals by committee members. It could also create a situation where competitors are hearing us discuss the pros and cons of their competition.

We engaged the same process with the proposals on the jail and it worked very well. We have been very forthcoming with the press and have provided detailed information on every step of the process. We are doing the same on Scovil.

From the input I've had and based on the above, the meeting tonight will be in Executive Session.

Please don't hesitate to reach out to me at any time for an update on Scovil or any other project the committee is working on. We are making great progress and want to keep the press and public informed.

Thanks and all the best,

Jeff
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