



# FREEDOM OF INFORMATION



Connecticut Freedom of Information Commission • 18-20 Trinity Street, Suite 100 • Hartford, CT 06106  
Toll free (CT only): (866)374-3617 Tel: (860)566-5682 Fax: (860)566-6474 • www.state.ct.us/foi/ • email: foi@po.state.ct.us

Joe Rodorigo,  
Complainant(s)  
against

Notice of Meeting

Docket #FIC 2017-0018

Chairman, Planning and Zoning Commission, Town of  
Beacon Falls; Zoning Commission, Town of Beacon Falls,  
Respondent(s)

April 5, 2017

## Transmittal of Proposed Final Decision

In accordance with Section 4-179 of the Connecticut General Statutes, the Freedom of Information Commission hereby transmits to you the proposed finding and decision prepared by the hearing officer in the above-captioned matter.

This will notify you that the Commission will consider this matter for disposition at its meeting which will be held in the Freedom of Information Commission Hearing Room, 18-20 Trinity Street, 1st floor, Hartford, Connecticut, at **2 p.m. on Wednesday, April 26, 2017**. At that time and place you will be allowed to offer oral argument concerning this proposed finding and order. Oral argument shall be limited to ten (10) minutes. For good cause shown, however, the Commission may increase the period of time for argument. A request for additional time must be made in writing and should be filed with the Commission **ON OR BEFORE April 17, 2017**. Such request **MUST BE (1) copied to all parties, or if the parties are represented, to such representatives, and (2) include a notation indicating such notice to all parties or their representatives.**

Although a brief or memorandum of law is not required, if you decide to submit such a document, an **original and fourteen (14) copies** must be filed **ON OR BEFORE April 17, 2017**. **PLEASE NOTE: Any correspondence, brief or memorandum directed to the Commissioners by any party or representative of any party MUST BE (1) copied to all parties, or if the parties are represented, to such representatives, (2) include a notation indicating such notice to all parties or their representatives and (3) be limited to argument. NO NEW EVIDENCE MAY BE SUBMITTED.**

If you have already filed a brief or memorandum with the hearing officer and wish to have that document distributed to each member of the Commission, it is requested that **fifteen (15) copies** be filed **ON OR BEFORE April 17, 2017**, and that **notice be given to all parties or if the parties are represented, to their representatives, that such previously filed document is being submitted to the Commissioners for review.**

By Order of the Freedom of  
Information Commission

W. Paradis  
Acting Clerk of the Commission

Notice to: Joe Rodorigo  
Attorney Frederick D. Stanek

FIC# 2017-0018/Trans/wrbp/VDH//KKR/2017-04-05

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Report of Hearing Officer

Joe Rodorigo,

Complainant

against

Docket #FIC 2017-0018

Chairman, Planning and Zoning  
Commission, Town of Beacon  
Falls; Planning and Zoning  
Commission, Town of Beacon  
Falls; and Town of Beacon Falls,

Respondents

March 29, 2017

The above-captioned matter was scheduled to be heard as a contested case on March 29, 2015 at 1:00 P.M., at which time the respondents appeared, but the complainant did not appear to prosecute the case. The case captioned was amended at the start of the proceedings to accurately reflect the names of the respondents.

The hearing officer notes that Attorney Frederick D. Stanek, counsel for the respondents, appeared at the hearing with two witnesses. Specifically, Attorney Stanek appeared with Christopher J. Bielik, the First Selectman for the Town of Beacon Falls, and Kevin McDuffie, the Chairman of the Planning and Zoning Commission for the Town of Beacon Falls. Attorney Stanek represented that he spent considerable time preparing for the contested case hearing, including meeting with his witnesses on two separate occasions, conducting legal research and drafting and filing a motion to dismiss. Attorney Stanek represented that, in total, he spent approximately six hours preparing for the day's hearing. Finally, Attorney Stanek represented that he left Oxford and traveled forty-five minutes to arrive at the contested case hearing on time, while First Selectman Bielik and Chairman McDuffie represented that they departed from the Town of Beacon Falls and likewise traveled forty-five minutes to arrive at the contested case hearing on time.

The following order by the Commission is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. The complaint is hereby dismissed.
2. The complainant is admonished for his failure to appear at the hearing in this matter, which failure resulted in a waste of scarce state and local resources.



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Valicia Dee Harmon  
as Hearing Officer