

Steffes, Molly

From: FOI
Sent: Thursday, April 16, 2026 8:54 AM
To: Steffes, Molly
Subject: FW: Formal Appeal: Undue Delay and Withholding of Records – Sherman Finance Department
Attachments: FOIA Request – Sherman School Renovation Project Financials.pdf

MIKIA GRAY
Secretary
Freedom of Information Commission
165 Capitol Avenue, Suite 1100
Hartford, CT 06106
860-566-5682
Mikia.Gray@ct.gov

REC'D & FILED

APR 16 2026

Freedom of Information Comm.

By MS
FIC 2026-0364

-----Original Message-----

From: managingeditor@shermanct.com <managingeditor@shermanct.com>
Sent: Wednesday, April 15, 2026 5:33 PM
To: FOI <FOI@ct.gov>
Cc: Don Lowe <dlowe@shermanct.gov>; Carol Havens <chavens@shermanct.gov>; Andrea Maloney <amaloney@shermanct.gov>; Kerry Merkel <merkelk@shermanschool.com>
Subject: Formal Appeal: Undue Delay and Withholding of Records – Sherman Finance Department

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Connecticut Freedom of Information Commission,

Pursuant to Conn. Gen. Stat. § 1-206(b)(1), I am filing a formal appeal against the Town of Sherman Finance Department for Undue Delay in the production of standard financial records.

On March 27, 2026, I requested basic digital financial records (AIA Pay Applications and Town Ledgers) regarding a current \$50 million school renovation project. The Finance Department acknowledged the request on April 1.

Since that acknowledgment, the agency has refused to produce a single document, nor have they provided a timeline for a rolling production, despite a formal follow-up sent on April 14 demanding a status update.

Digital accounting ledgers do not require multi-week retrieval times.

This delay is a subversion of the "promptness" requirement under C.G.S.

§ 1-210(a).

I respectfully request the Commission compel the immediate production of these active financial ledgers and rule on the town's failure to provide prompt access to public records.

Frank Washabaugh
Editor, Sherman CT News

APR 16 2026

Freedom of Information Comm.
By JS

762026-0304

Friday, Mar 27 at 9:05 AM

RE: FOIA Request – Sherman School Renovation Project Financials

From: managingeditor@shermanct.com

To: **Carol Havens** | chavens@shermanct.gov, **Don Lowe** | dlowe@shermanct.gov, **Kerry Merkel** | merkelk@shermanschool.com, **Amaloney** | amaloney@shermanct.gov

Dear Town Officials and Freedom of Information Coordinators,

Under the Connecticut Freedom of Information Act (Conn. Gen. Stat. § 1-200 et seq.), I am formally requesting an opportunity to inspect or obtain copies of public records regarding the expenditure of funds for the \$50 million Sherman School renovation project.

To prevent any administrative delays, please note this request is directed to the Town of Sherman's financial and executive offices, as well as the School Building Committee. Please provide the following financial documents from the project's inception to the present date:

- **Applications for Payment:** Copies of all submitted and/or approved Applications for Payment (including AIA Documents G702 and G703, or their equivalents) submitted by Newfield Construction or any other prime contractor for the Sherman School project.
 - **Town Payment Ledger / Check Register:** A line-item ledger, check register, or transaction report from the Town of Sherman's accounting software showing all funds disbursed to date from the designated \$50 million Sherman School project accounts.
 - **Executed Change Orders:** Copies of all approved and fully executed Change Orders (COs) to date that authorize modifications to the project's scope, timeline, or cost.
 - **The Master Contract:** The fully executed contract between the Town of Sherman and Newfield Construction, inclusive of the Guaranteed Maximum Price (GMP) amendment and the detailed Schedule of Values.
- Clarification of Scope Regarding Security/Mitigation Invoices:** Within the requested ledgers and Pay Applications, I am specifically seeking the financial line items and vendor invoices for site security services, temporary fencing, surveillance equipment, and weather mitigation (tarps). I am explicitly **not** requesting tactical schematics, camera blindspots, or emergency response protocols that would fall under the C.G.S. § 1-210(b)(19) security exemption. As I am solely requesting financial figures and vendor identities, these items cannot legally be withheld under a "safety and security" exemption.

As established under C.G.S. § 1-210, any records maintained by a third-party contractor performing a governmental function on behalf of the town are subject to disclosure under constructive possession.

To minimize costs and save town resources, I request that these documents be provided in their native electronic format (e.g., PDF) and delivered via email.

Please acknowledge receipt of this request within four business days, as required by law. If you intend to deny any portion of this request, please provide the specific statutory exemption

under C.G.S. § 1-210 that justifies the withholding of these financial records.

Respectfully,
Frank Washabaugh
Editor, Sherman CT News

From: Carol Havens | CHavens@shermanct.gov

To: managingeditor@shermanct.com | managingeditor@shermanct.com

Friday, Mar 27 at 9:45 AM

I am acknowledging receipt of your request but am again advising you that my office does not have this information. Carol Havens, Town Clerk

NOTE A CHANGE IN EMAIL. Please update your records accordingly
CHavens@ShermanCT.gov

From: managingeditor@shermanct.com | managingeditor@shermanct.com

To: Carol Havens | CHavens@shermanct.gov

Friday, Mar 27 at 9:55 AM

Carol, thank you for the prompt clarification regarding the Town Clerk's records; as this request was jointly directed to the First Selectman, the Finance Department, and the Building Committee, I will await their compliance within the statutory four-business-day window.

Frank

From: Andrea Maloney | AMaloney@shermanct.gov

To: managingeditor@shermanct.com | managingeditor@shermanct.com

Wednesday, Apr 1 at 10:39 AM

Received and acknowledged. Thank you.

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APR 16 2026

Freedom of Information Comm.
By *WLS*

PLC 2026-0304