

**Dear Mr. Rosenberg:**

**Please read Sec 1-211. I am entitled to the non-confidential information in the records in electronic form.**

**Sec. 1-211. (Formerly Sec. 1-19a). Disclosure of computer-stored public records. Contracts. Acquisition of system, equipment, software to store or retrieve nonexempt public records.** (a) Any public agency which maintains public records in a computer storage system shall provide, to any person making a request pursuant to the Freedom of Information Act, a copy of any nonexempt data contained in such records, properly identified, on paper, disk, tape or any other electronic storage device or medium requested by the person, if the agency can reasonably make such copy or have such copy made.

Further, please provide the legal authority that states I am not entitled to tax withholding information. Social security withholdings are simple math calculations. The State withholdings are basic math calculations as well.

If there has been no dishonesty on the part of City officials, why weren't the electronic files provided to me in the first instance. When I left your office yesterday, you did not indicate that you would contact the HR department. You said, this is what they tell me, which is totally consistent with lack of honesty and what transpired and you know it.

For the record, I recently learned and was impressed that you elected not to condone, and in fact exposed, the questionable conduct of the WPCA. I hope you will exhibit the same high standards when it comes to the residents' Freedom of Information requests.

Karen Murphy

Ms. Murphy: You have not accurately reflected our conversation yesterday. I did not tell you that City officials had told me that none of the documents you requested are available in electronic form. You asked for documents in electronic form. I responded to you that any electronic documents which contain personal information such Social Security Numbers and tax deductions will not be produced electronically. See Section 1-211 of the FOIA.

With regard to the Excel file on Mr. Santorella's pension calculations, since those documents do not appear to contain exempt data, I will ask the Human Resources Department to e-mail an electronic file to you, even though you have already received the documents in hard copy.

Since there has been no dishonesty on the part of City officials, there is nothing to report to the Commission or to the Grievance Committee.

Lastly, to avoid future misunderstandings, if you wish to communicate with me, please do so in writing.

Burt Rosenberg  
Asst. Corporation Counsel  
Office of Legal Affairs  
City of Stamford  
P. O. Box 10152  
Stamford, CT 06904-2152

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**From:** Karen Murphy  
**Sent:** Wednesday, June 16, 2010 9:30 PM  
**To:** Rosenberg, Burt  
**Cc:** Pavia, Michael; Pankosky, Valerie; jtarzia@optonline.net; Briscoe, Michael; Caruso, Joe; Franco, David; Flynn, Frederick C.; Hibson, Emmet; Larobina, Michael D.  
**Subject:** Lack of Honesty by City Officials

Dear Mr. Rosenberg:

I was very disappointed to learn that City officials told you that electronic files are not available for any of the documents produced to-date pursuant to my June 4<sup>th</sup> Freedom of Information request. As I pointed out to you, the name of the excel file that shows Mr. Santorella's pension calculation is shown on the bottom of the sheet that was produced today. This document should be produced electronically immediately.

In light of the clear fact that City officials are not being honest, I am requesting that you report this to the Freedom of Information Commission. If the officials are attorneys, it is your duty to report such conduct to the attorney disciplinary board.

Please let me know how you intend to handle this difficult situation. After all, as a municipal government lawyer you represent me as well.

Karen Murphy

# KAREN A. MURPHY

68 Saddle Rock Road □ Stamford, Connecticut 06902

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June 16, 2010  
(Via: email)

Michael Pavia, Mayor  
Randall M. Skigen, Deputy Mayor & President of the Board of Representatives  
Joseph Tarzia, Chairman of the Board of Finance  
All other Trustees of Stamford Classified Employees' Retirement Fund ("CERF")  
Michael Larobina, Corporation Counsel  
Frederick Flynn, Director of Administration  
Emmet P. Hibson, Director of Human Resources Department  
Government Center for the City of Stamford  
888 Washington Blvd.  
Stamford, CT 06904-2152

Re: Freedom of Information Request

Dear Trustees of CERF & Messrs. Larobina, Flynn & Hibson:

I am sorry that I may appear as a pest, but the City Officials, in particular Messrs. Larobina and Hibson, and definitely not the employee representatives, make the Freedom of Information process very difficult for the City's residents. Therefore, I am forced to continue making Freedom of Information requests. I hope the Trustees understand the need for this information. I believe the CERF has not been operated according to its terms due to, among other reasons, the lack of fiduciary knowledge by Corporation Counsel and the Human Resources Department, exposing all of the Trustees to liability.

Therefore, pursuant to the City's Charter, Sec. C1-60-2, and the State of Connecticut's Freedom of Information Act, Conn. Gen. Stat. Ann. Secs. 1-200 to 1-242, I am requesting:

1. access to all of Mr. Santorella's pay checks or other checks received from the City of Stamford, including all agencies, authorities, quasi municipal corporations, etc., together with the pay stub or other document that shows all amounts withheld for, inter alia, taxes and employee contributions from Mr. Santorella's pay or other checks;
2. if Mr. Santorella's net pay does not show a reduction for pension and health contributions, access to all of Mr. Santorella's checks (front & back) showing that the employee contributions were actually made;
3. access to any information that shows that all employee pension contributions are actually received by the CERF;
4. access to the same information requested in items 1 and 2 for Mr. Manfredonia;
5. access to the documents that show what the required employee pension and health contributions were for each of the years Mr. Santorella received service credit under the CEFR; and for all years he received health benefits;
6. access to the details that show Mr. Santorella's accumulated pension contributions as of each year and the interest credited each year on those contributions (fiscal or calendar year calculations are acceptable);

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7. access to Mr. Santorella's application for employment and the related documents that lead to his employment by the City of Stamford;
8. access to any information held on a computer or in print format that shows that the employees' pension contribution are deposited into the CERF; and
9. access to any information held on a computer or in print format that shows each and every buy back calculation for the last 20 years for any of the City's pension plans that has a buy back provision;

Please let me know when and where I can inspect the above requested public records. To the extent that the information cannot be forwarded via email, or copied onto a hard drive that I will provide, please let me know what the cost is to copy such records before copying the records. As provided by the City Charter, these documents should be readily available.

If my request is denied in whole or part, I ask that you re-read Sec. C1-60-2 of the City's Charter. If the denial is based on some other law that overrides the City's Charter, please be specific.

Thank you for your assistance.

Sincerely,

KAREN A. MURPHY

# KAREN A. MURPHY

68 Saddle Rock Road □ Stamford, Connecticut 06902

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June 4, 2010  
(Via: email)

Michael Pavia, Mayor  
Randall M. Skigen, Deputy Mayor & President of the Board of Representatives  
Joseph Tarzia, Chairman of the Board of Finance  
All other Trustees of Stamford Classified Employees' Retirement Fund ("CERF")  
Michael Larobina, Corporation Counsel  
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888 Washington Blvd.  
Stamford, CT 06904-2152

Re: Freedom of Information Request

Dear Trustees of CERF & Messrs. Larobina and Flynn:

Section C7-30-3 of the City's Charter states in pertinent part that:

The Trustees of the [Stamford Classified Employees' Retirement] Fund shall be the Mayor, who shall be Chairperson, the Chairperson of the Board of Finance, the President of the Board of Representatives, and three (3) representatives of the Classified employees, including retired Classified employees, one to be elected each year for a three (3) year term.

I am requesting that Corporation Counsel, Mayor Pavia and/or Mr. Flynn provide a copy of this Freedom of Information request to three (3) representatives of the Classified employees referred to in Section C7-30-3 of the City's Charter as noted above, or to any other person who may be a Trustee of the CERF.

Pursuant to the City's Charter, Sec. C1-60-2, and the State of Connecticut's Freedom of Information Act, Conn. Gen. Stat. Ann. Secs. 1-200 to 1-242, I request:

1. access to any information held on a computer or in print format that relates to any communication since December 31, 2009 regarding Mr. Manfredonia's or Mr. Santorella's eligibility for, calculation of, or reduction or revocation of, pension or other benefits under any of the City of Stamford's pension or other benefit plans; including, but not limited to:
  - all communications among and between the Trustees of CERF, City's Human Resources Division, members of any union Mr. Manfredonia or Mr. Santorella is a member of, communications with Mr. Manfredonia's or Mr. Santorella's attorneys or the prosecutors involved with either case, communications with residents of the City, including leaders of the Democratic or Republican parties, and any legal or other memorandum that may have been prepared regarding reduction or revocation of pension and/or other benefits and salary.
2. access to any information held on a computer or in print format that shows the calculation or amount of any salary, pension, health or other benefit Mr. Manfredonia may be entitled to from the City of Stamford, including from any benefit plan, following the

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June 4, 2010  
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discovery of his alleged embezzlement;

3. access to any information held on a computer or in print format that shows the calculation or amount of any salary, pension, health or other benefit Mr. Santorella may be entitled to from the City of Stamford, including from any benefit plan, following the discovery of his alleged embezzlement;
4. access to any information held on a computer or in print format that shows Mr. Manfredonia's and/or Mr. Santorella's pension and/or health contributions for calendar years 2000 through 2010 (if easier to provide fiscal year data is acceptable); also provide the actuarial support for the employee health contributions required for the same 10-year period;
5. access to any information held on a computer or in print format that shows Mr. Manfredonia's and/or Mr. Santorella's accrued and projected pension benefits that were reflected/included in the most recent two actuarial reports prepared by the City's actuary.
6. access to Mr. Manfredonia's and Mr. Santorella's W-2 Forms for calendar years 2000 through 2010, including, all replacement and reissued W-2 Forms for such years<sup>1</sup>; and
7. access to any information held on a computer or in print format regarding (i) the deferral of Mr. Santorella's arraignment date from June 3, 2010 to June 16, 2010; and (ii) any agreement or understanding that has been made, directly or indirectly, with either Mr. Manfredonia or Mr. Santorella.

Please let me know when and where I can inspect the above requested public records. To the extent that the information cannot be forwarded via email, or copied onto a hard drive that I will provide, please let me know what the cost is to copy such records before copying the records. As provided by the City Charter, these documents should be readily available.

If my request is denied in whole or part, I ask that you re-read Sec. C1-60-2 of the City's Charter. If the denial is based on some other law that overrides the City's Charter, please be specific.

Thank you for your assistance.

Sincerely,

KAREN A. MURPHY

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<sup>1</sup> The replacement and/or reissued W-2 Forms may be in the possession of Mr. Peter Lucia.