

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by )  
Nancy McAfee, Complainant ) Report of Hearing Officer  
against ) Docket #FIC76-111  
City and Town of Stamford and ) August 3 , 1976  
Stamford Housing Authority, )  
Respondents )

The above captioned matter was heard as a contested case on July 20, 1976, at which time the complainant and the respondent housing authority appeared and presented testimony and argument on the complaint.

After consideration of the entire record, the following facts are found:

1. The respondents are public agencies.
2. The respondent housing authority moved to dismiss the complaint on the grounds that it is not itself a public agency, and that it is not a public agency of the City and Town of Stamford.
3. The respondent housing authority was established as a "public body corporate and politic" pursuant to state enabling legislation, §7-40, General Statutes, and a resolution of the legislative body of the City and Town of Stamford. It receives its funding through state and federal program grants and rental payments. It owns, builds, and manages public housing in Stamford. It is composed of six commissioners appointed by the Mayor of Stamford, who can presumably remove them for cause. Commissioners and employees of the respondent housing authority have access to municipal gasoline privileges, for which such authority reimburses the city at cost.
4. On the basis of the foregoing, it is concluded that the respondent housing authority is a public agency of the City and Town of Stamford, within the meaning and legislative intent of P.A. 75-342.
5. On June 21, 1976, at least four of the six commissioners of the respondent housing authority met at its offices in Stamford. The purpose of this meeting was to review a pencil draft of a proposed low-rent budget, in advance of a regular meeting scheduled for June 22, 1976.
6. No notice of a special meeting on June 21, 1976, was filed with the municipal clerk. No minutes of the meeting were kept or published, and no vote to convene in executive session, or other vote, was taken.
7. At the regular meeting of the respondent housing

authority on June 22, 1976, the proposed budget was approved in public session after discussion and amendment.

8. By letter of complaint filed with this Commission on June 24, 1976, the complainant alleged that the failure of the respondent housing authority to file notice of its June 21, 1976 meeting with the municipal clerk constitutes a violation of P.A. 75-342.

9. It is found that the meeting of June 21, 1976 constitutes a special meeting of the respondent housing authority, for which notice was required by P.A. 75-342.

On the basis of the record concerning the above captioned matter the following order by the Commission is hereby recommended:

1. The respondent housing authority, as a public agency of the City and Town of Stamford, shall henceforth comply with all provisions of P.A. 75-342.

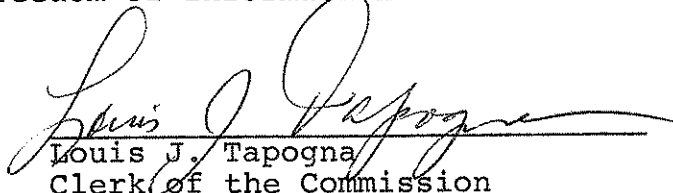
2. Nothing herein shall be construed as indicating bad faith in this matter on the part of the respondent housing authority.



Commissioner Herbert Brucker

as Hearing Officer

Approved by order of the Freedom of Information Commission  
on August 11, 1976.



Louis J. Tapogna  
Clerk of the Commission