

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

| | | |
|----------------------------------|---|------------------|
| In the Matter of a Complaint by |) | |
| Robert Bletchman, Complainant |) | Final Decision |
| |) | |
| against |) | Docket #FIC78-48 |
| |) | |
| Town of Manchester and Town |) | June 28, 1978 |
| Clerk of the Town of Manchester, |) | |
| Respondents |) | |
| |) | |

The above captioned matter was heard as a contested case on June 6, 1978 at which time both the complainant and the respondents appeared and presented testimony, exhibits and argument on the complaint.

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

1. The respondent clerk is a public agency as defined by §1-18a(a), G.S.

2. On Friday, February 17, 1978, the complainant asked the respondent clerk to inspect a certain petition for the consolidation of governments filed under §7-195, G.S.

3. The aforesaid petition, which consisted of some three hundred pages and three to four thousand signatures, was filed with the respondent clerk on or about the time of the complainant's request.

4. The respondent clerk did not provide the complainant with immediate access to the petition, but rather, promised to make it available to him as soon as it was certified in accordance with §7-195, G.S.

5. §7-195, G.S., provides that the town clerk shall, after filing, "proceed forthwith" to determine the sufficiency of such petition "... by comparing the names thereon with those contained in the registry list of the town...."

6. The aforesaid process of certifying the sufficiency of a petition is extremely time-consuming. Work thereon commenced about the time of the complainant's request and was completed on Thursday, February 23, 1978. Two to three out of a total of four persons in the office of the respondent clerk worked continually on the project.

7. The respondent clerk notified the complainant on February 23, 1978 that the petition was available for inspection.

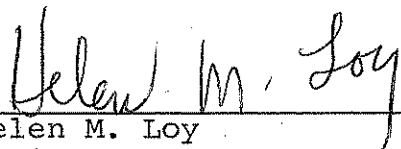
8. The complainant brought this matter to the Commission by letter of complaint dated March 13, 1978 and received and filed with the Commission on March 13, 1978.

9. The sole issue to be decided in this case is whether or not the respondent clerk made the aforesaid petition available to the complainant at a "reasonable time" as required by §1-19, G.S.

10. It is found that the respondent clerk provided the complainant with access to the petition at a reasonable time as required by §1-19a, G.S. in view of the obligation imposed by §7-195, G.S.

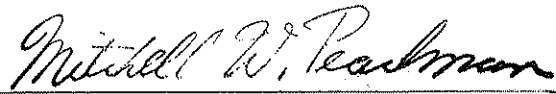
The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

1. The complaint is hereby dismissed.



Helen M. Loy
Chairman

Approved by order of the Freedom of Information Commission on
June 28, 1978.



Mitchell W. Pearlman
Acting Clerk of the Commission