

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Lawrence Hurley,

FINAL DECISION

Complainant

Docket #FIC83-91

against

October 19, 1983

Town Council of the
Town of Groton,

Respondent

The above captioned matter was heard as a contested case on August 2, 1983 at which time the complainant appeared but the respondent failed to appear. Upon a determination by the hearing officer that adequate notice of the hearing had been provided to the respondent, the complainant proceeded to present testimony, exhibits and argument on the complaint.

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

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

2. The respondent held a regular meeting on April 19, 1983, attended by a quorum of the members, which meeting adjourned at 8:00 p.m.

3. By letter of complaint filed with the Commission on May 13, 1983, the complainant alleged that following the April 19, 1983 regular meeting, 7 Democratic members of the respondent met behind closed doors, without notice or minutes, with the moderator of the Groton Representative Town Meeting (RTM).

4. It is found that from approximately 8:10 p.m. to 8:45 p.m. on April 19, 1983, the seven Democratic members of the respondent met in a "caucus" with the moderator of the Groton RTM to discuss the budget.

5. Six members of the respondent constitute a quorum.

6. The moderator of the RTM is not a member of the respondent.

7. It is therefore found that the gathering held from 8:10 p.m. until 8:45 p.m. was not a "caucus" as defined by §1-18a(b), G.S.

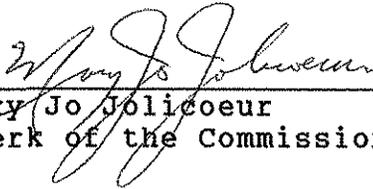
8. It is also found that the gathering was a convening or assembly of a quorum of a multimember public agency to discuss or act upon a matter over which the agency has supervision, control, jurisdiction or advisory power, and was therefore a "meeting" as defined by §1-18a(b), G.S.

9. It is concluded that the respondent violated §1-21, G.S. when seven of its members met, without notice or minutes, on April 19, 1983 from 8:10 p.m. until 8:45 p.m.

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

1. Henceforth the respondent shall act in strict compliance with the requirements of §1-21, G.S. regarding access to meetings of public agencies.

Approved by order of the Freedom of Information Commission at its regular meeting of October 12, 1983.



Mary Jo Jolicoeur
Clerk of the Commission