

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by  
John Steinmann,

FINAL DECISION

Complainant

Docket #FIC83-116

against

January 9, 1984

Middlebury Planning & Zoning  
Commission,

Respondent

The above captioned matter was heard as a contested case on September 13, 1983, at which time the complainant and the respondent appeared and presented testimony, exhibits and argument on the complaint.

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

1. The respondent is a public agency within the meaning of §1-18a(a), G.S.

2. By letter of complaint filed with the Commission on June 1, 1983 the complainant alleged that he had not been allowed to see the minutes of a May 5, 1983 meeting of the respondent until 21 days after such meeting and that as of June 1, 1983 he had still not been provided with access to minutes of a May 19, 1983 meeting.

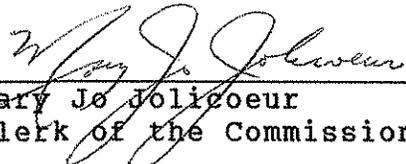
3. It is found that although a typed version of the respondent's minutes was not available at the time of the complainant's request, handwritten minutes were on file and available for inspection or copying within seven days of the respondent's May 5, 1983 and May 19, 1983 meetings.

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.

2. The Commission notes that the complainant's complaint and supporting documents were virtually indecipherable, and that testimony at hearing indicated that the complainant, who has engaged in a pattern of visiting various agencies of the respondent on an average of from several times per week to once per day, has consistently received cooperation from the respondent. The complainant should, under such circumstances, be aware of the amendment to §1-21i(b), G.S., effective October 1, 1983, which provides that if this Commission finds that an appeal has been taken frivolously, without reasonable grounds and solely for the purpose of harassing the agency against which the appeal has been taken it may impose a civil penalty against such person of from \$20 to \$1,000.

Approved by order of the Freedom of Information Commission  
at its regular meeting of December 28, 1983.

  
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Mary Jo Jolicoeur  
Clerk of the Commission