

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Betty Cydylo and Annie Machovich,

FINAL DECISION

Complainant

Docket #FIC83-165

against

February 22, 1984

First Selectman, Town of
Willington,

Respondent

The above captioned matter was heard as a contested case on October 31, 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 July 21, 1983 the complainants alleged that the respondent had failed to respond to their request for a "clarification" of §7-344, G.S.

3. It is found that prior to June 29, 1983 the complainants attended three town budget meetings during which they unsuccessfully attempted to obtain itemized copies of the education budget.

4. By letter dated June 29, 1983 the complainant Cydylo made a request of the respondent for a clarification from the town attorney as to whether an itemized school budget is required by state statute.

5. It is found that although the Freedom of Information Act mandates access to existing records, nothing therein requires a public agency to respond to questions such as the one posed by the complainant Cydylo.

6. It is therefore concluded that the respondent did not violate §§1-15, 1-19(a) or any other provision of the Freedom of Information Act when he failed to respond to the June 29, 1983 inquiry.

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 although not required by the Freedom of Information Act, a prompt response to the complainants' inquiry would have better promoted the public interest.

Approved by order of the Freedom of Information Commission at its regular meeting of February 22, 1984.



Mary Jo Jolicœur
Clerk of the Commission