

9. §7-314 and §7-314a provide that "active members of volunteer fire companies" are eligible under certain conditions for compensation for death, disability or injuries under chapter 568 (Workmen's Compensation Act).

10. §7-313c permits towns to indemnify volunteer firemen for expenses for tuition and textbook charges for courses on fire technology and administration.

11. §7-313(e), G.S. and §7-313b authorize the fire officer in charge of a fire company to exercise special powers under certain conditions.

12. The respondent has its own constitution and bylaws and is self-governing in the sense that its internal management is conducted in accordance with its constitution and bylaws.

13. The respondent has an association which raises money for it through social events such as carnivals and bingo games.

14. The respondent deploys seven pieces of equipment with an overall value of \$800,000.

15. Whereas in an earlier period the respondent was self-supporting, it has now reached the point where it is dependent upon town funds for ninety percent of its budget.

16. The building used by the respondent is owned by the Town of East Windsor and shared with the town's senior center.

17. The most recently purchased fire truck used by the respondent is owned by the town and leased to the respondent for one dollar a year.

18. The replacement value of the truck is approximately \$182,000.

19. The respondent town purchased the equipment because it was necessary and the respondent could not afford to purchase it.

20. Based upon the evidence cited and the statutes cited herein it is found that the respondent is a public agency within the meaning of §1-18a(a), G.S. and therefore subject to the requirements of the Freedom of Information Act.

21. It is concluded therefore that the complainant is entitled to receive a copy of the minutes. However, the respondent is entitled to exempt material which is exempt under §1-19(b), G.S.

22. A portion of the minutes concerns an altercation at a dance between two members of the respondent.

23. It is found that insofar as the minutes contain information which is exempt under §1-19(b)(2), G.S. the respondent may mask that portion of the minutes.

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

1. The respondent shall disclose the minutes requested by the complainant. However, the respondent may exempt portions which are exempt from disclosure under §1-19(b)(2), G.S.

Judith A. Lahey

Commissioner Judith A. Lahey as
Hearing Officer