

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Roy A. Costa,

FINAL DECISION

Complainant

Docket #FIC84-101

against

September 12, 1984

Common Council of the City
of Danbury,

Respondent

The above captioned matter was heard as a contested case on August 3, 1984 at which time the complainant appeared but the respondent did not appear.

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

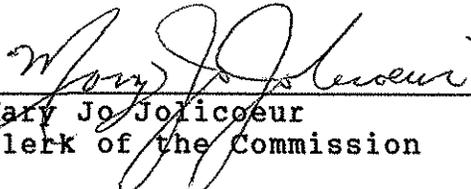
1. The respondent is a public agency within the meaning of §1-18a(a), G.S.
2. On May 10, 1984 the respondent held a special meeting to act on the city budget.
3. At its May 10, 1984 meeting the respondent voted to designate the city's veteran's park as the Thomas J. Dyer Veteran's Park.
4. By letter of complaint filed with the Commission on June 9, 1984 the complainant alleged that the respondent had provided no notice to the public that at such meeting any action would be taken to rename the veteran's park, in violation of §1-21, G.S.
5. Subsequent to the May 10, 1984 meeting a letter was submitted to the respondent by Mayor Dyer, the son of Thomas J. Dyer, asking that the respondent accept the name "Veteran's Square at Rogers Park" for the veteran's park. At the respondent's July 3, 1984 meeting the respondent voted to adopt the name proposed by council member Gallo.
6. By letter dated July 30, 1984 the respondent informed the Commission that because its action to rename the park on May 10, 1984 had been "settled" by the respondent's July 3, 1984 action, it did not intend to appear before the Commission for the hearing on this matter.
7. It is found that the notice of the respondent's May 10, 1984 meeting indicated that at such meeting the respondent would be acting upon an ordinance making appropriations for the fiscal year beginning July 1, 1984 and ending June 30, 1985, and upon a resolution levying the property tax for such fiscal year.

8. It is found that such notice provided no meaningful notice to the public that the renaming of the veteran's park would be considered on May 10, 1984, in violation of §1-21, G.S.

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 notice of the business to be transacted at special meetings of public agencies.

Approved by order of the Freedom of Information Commission at its regular meeting of September 12, 1984.



Mary Jo Jolicœur
Clerk of the Commission