

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Walter P. Doolittle, D.V.M.

FINAL DECISION

Complainant

Docket #FIC 84-113

against

October 10, 1984

Planning and Zoning Commission
Town of Preston

Respondent

The above captioned matter was heard as a contested case on August 24, 1984 at which time the complainant and the respondent appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint.

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

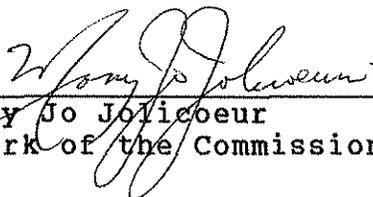
1. The respondent is a public agency within the meaning of §1-18a(a), G.S.
2. On June 20, 1984 the complainant appeared at the office of the Preston Town Clerk and asked to inspect the minutes of the June 5, 1984 meeting of the respondent and was informed that the minutes had not yet been filed. The complainant then requested a copy of the minutes and received a copy in the mail on June 25, 1984.
3. The complainant filed an appeal with the Commission on June 27, 1984 by letter dated June 25, 1984. The parties have agreed to construe the complaint to include the claims that:
 - (a) the June 5, 1984 minutes were unavailable on June 20, 1984;
 - (b) the June 5, 1984 minutes were in improper form in that they were not identified as "minutes" and lacked a signature by the secretary; and,
 - (c) section VII, item 4 of the minutes of the July 3, 1984 meeting were in improper form in that they did not include a record of the votes taken and lacked a signature by the secretary.
4. It is found that the minutes of the June 5, 1984 meeting were not available for public inspection within seven days of the June 5, 1984 meeting.
5. It is found that the minutes of the June 5, 1984 and the July 3, 1984 meetings are proper records of the meetings to which they refer, pursuant to §1-19(a), G.S.

6. It is concluded that the respondent violated the provisions of §1-21(a), G.S., because the minutes of the June 5, 1984 meeting were not available for public inspection within seven days of the meeting.

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 comply strictly with the provisions of §1-21(a), G.S.

Approved by order of the Freedom of Information Commission at its regular meeting of October 10, 1984.



Mary Jo Jolicœur
Clerk of the Commission