

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Kenneth & Eleanor Niemann

FINAL DECISION

Complainant

Docket #FIC 84-137

against

Planning & Zoning Commission and Town
of Brooklyn

April 24, 1985

Respondents

The above captioned matter was heard as a contested case on October 30, 1984 at which time the complainants and the respondents appeared and presented testimony, exhibits and argument on the complaint.

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

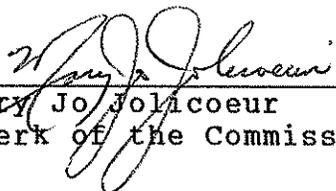
1. The respondents are public agencies within the meaning of §1-18a(a), G.S.
2. By letter filed with the Commission on July 23, 1984, the complainants alleged that on April 4, 1984 and July 18, 1984 they requested materials relevant to a zoning application being considered by the respondent.
3. It is found that the requested materials were misplaced in the office of the town clerk and were provided to the complainants by August 1, 1984.
4. It is found that the failure to provide prompt access to the public records was a violation of §1-19, G.S.
5. It is further found that the minutes of the April 4, 1984 minutes of the respondent were not on file in the town clerk's office within seven days of the meeting 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 respondents shall comply with the provisions of §§1-19 and 1-21, G.S.

2. The Town Clerk shall establish clear procedures for the maintenance of public records and shall review the with the Planning and Zoning Commission the procedures for filing of records and minutes in accordance with the provisions of the Freedom of Information Act.

Approved by order of the Freedom of Information Commission at its regular meeting of April 24, 1985.



Mary Jo Jolicœur
Clerk of the Commission