

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Raymond Baginski, President,
Southington Taxpayers
Association, Inc.

FINAL DECISION

Complainant

Docket #FIC84-237

against

Town Manager of the Town of
Southington,

April 10, 1985

Respondent

The above captioned matter was heard as a contested case on February 21, 1985 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 dated June 22, 1984, Arthur Kratzke, the secretary to the Southington Taxpayers Association made a request of the chairman of the town council of Southington for "an update on the surpluses in both the Town Budget and the Board of Education Budget," including the amount of money to be used as Christmas presents by the school administration.
3. Mr. Kratzke was advised that the town would need thirty days after June 30, 1984 to compile final figures.
4. On September 10, 1984 the complainant made an oral request for the surplus figures at a meeting of the town council.
5. On or about September 14, 1984 the respondent returned Mr. Kratzke's June 22, 1984 letter to him, upon which had been recorded figures representing the appropriated funds returned to the general fund on June 30, 1984. Also forwarded to Mr. Kratzke was an unsigned copy of the general fund balance sheet.
6. By letter of complaint filed with the Commission on September 24, 1984 the complainant alleged that the respondent failed to provide requested information in a timely manner and that the record provided was unsigned and undated.

7. The figures requested by Mr. Kratzke and the complainant were not compiled and available for distribution until September 13, 1984.

8. The respondent has also provided the complainant with a signed copy of the general fund balance sheet dated September 25, 1984 and a signed copy dated October 1, 1984.

9. The complainant alleged that the figures provided were inconsistent and that the respondent should have had the records available prior to September 13, 1984.

10. It is found that the figures provided to the complainant, to the extent that they differed, represented different stages or elements in the budget-making process.

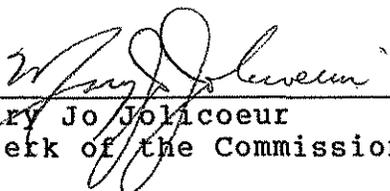
11. It is also found that although the complainant's claim that the figures should have been available sooner may have merit, this Commission is without jurisdiction over the speed with which budget figures are prepared.

12. It is concluded that the respondent did not violate §§1-15 or 1-19(a), G.S. when, on September 14, 1984 it provided the complainant with the budget surplus figures available at that time.

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.

Approved by order of the Freedom of Information Commission at its regular meeting of April 10, 1985.



Mary Jo Jolicoeur
Clerk of the Commission