

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Eileen Stroiney,

FINAL DECISION

Complainant

Docket #FIC84-248

against

May 8, 1985

Crescent Lake Tax District

Respondent

The above captioned matter was heard as a contested case on March 7, 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 of complaint filed with the Commission on November 5, 1984 and amended by letters dated November 13, 1984 and November 29, 1984 the complainant alleged that the respondent held a meeting on October 26, 1984 for which it provided no public notice.
3. It is found that the respondent held a meeting on October 26, 1984 during which it convened in executive session to discuss litigation to which both it and the complainant were parties.
4. As a result of her involvement in litigation with the respondent the complainant had, prior to October 26, 1984, made a practice of checking, on a daily basis, the bulletin board on which meeting notices are posted by the respondent.
5. Testimony from the complainant indicated that the respondent posted no notice of its October 26, 1984 meeting.
6. The respondent offered no evidence that notice had been posted, but claimed that even if the complainant had been made aware of the meeting, the meeting was not one which she would have been permitted to attend.
7. It is concluded, from the evidence presented, that the respondent provided no public notice of its October 26, 1984 meeting, in violation of §1-21(a), G.S.
8. The respondent's intention to convene in executive session did not relieve it of the responsibility of providing notice to the public of such meeting.

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

1. The respondent shall henceforth act in strict compliance with the terms of §1-21(a), G.S. regarding public notice of meetings of public agencies.

Approved by order of the Freedom of Information Commission at its regular meeting of May 8, 1985.



Mary Jo Jolicoeur
Clerk of the Commission