

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by Thomas Venice, Complainant	)	Report of Hearing Officer
	)	
against	)	Docket #FIC77-147
	)	
East Haven Board of Education; and Chairman of the Board of Education of the Town of East Haven, Respondents	)	September 28, 1977

The above captioned matter was heard as a contested case in conjunction with docket #FIC77-143, East Haven Taxpayers Association against East Haven Board of Education and Chairman of the Board of Education of the Town of East Haven, on August 24, 1977 at which time the complainant and the respondents appeared and presented argument on the complaint.

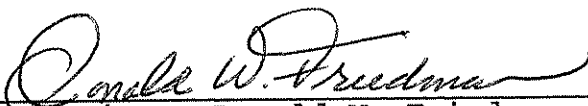
After consideration of the entire record, the following facts are found:

1. The respondent board is a public agency within the meaning of §1-18a(a), G.S.
2. The respondent board convened a special meeting on July 27, 1977 at which time it voted unanimously to go into executive session to discuss roof bids for the Deer Run School addition and to discuss the 1977-78 budget.
3. During the executive session in question the respondent board voted to award roofing contracts for two schools to one contractor. After that vote certain persons, who were not members of the board, joined the board, some of whom were present during the presentations by the others concerning aspects of the 1977-78 budget.
4. By letter received by the Commission on August 2, 1977 the complainant alleged that the executive session of July 27, 1977 was illegally convened.
5. At the time of the hearing on the complaint the contractor who had been awarded the roofing contracts was performing the work contracted for.
6. Although the respondent conceded that discussion of the budget was probably not a proper purpose for an executive session, the respondent claimed that the discussion of bids for roofing was a proper purpose for an executive session under §1-19b(7) as it is incorporated into §1-18a(e), G.S.

7. It is concluded that the executive session on July 27, 1977 was held without proper purpose and without proper limitations on the attendance of persons who were not members of the board in violation of §§1-19(b)7, G.S. as incorporated into 1-18a(e) and 1-21(g), G.S.

The following order of the Commission is hereby recommended on the basis of the records and the finding concerning the above captioned matter.

1. Henceforth the respondent board shall comply with §§1-18a(e) and 1-21g of the Freedom of Information Act.

  
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Commissioner Donald W. Friedman

as Hearing Officer

Approved by order of the Freedom of Information Commission on  
October 12, 1977.

  
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Charlene G. Arnold  
Clerk of the Commission