

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by Jean M. Harder, Complainant)	Report of Hearing Officer
)	
against)	Docket #FIC78-189
)	
Town of Ridgefield and Planning and Zoning Commission of the Town of Ridgefield,)	November 21, 1978
Respondents)	

The above captioned matter was heard as a contested case on November 14, 1978 at which time the complainant and the respondents 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 commission is a public agency as defined by §1-18a(a), G.S.
2. At a meeting held on September 5, 1978, the respondent commission unanimously voted to go into executive session to consider pending litigation.
3. By letter filed with the Commission on September 29, 1978, the complainant alleged that the aforesaid executive session was illegal.
4. By same letter, the complainant further alleged that a vote was taken at such executive session and that a record of such vote was not recorded within forty-eight hours as required.
5. The respondent commission was not a party to the pending litigation discussed in its September 5, 1978 executive session.
6. Such discussion was therefore not a proper purpose for holding an executive session within the meaning of §1-18a (e) (2), G.S.
7. It is found that the respondent commission denied the public the right to attend its September 5, 1978 executive session at an open meeting, in violation of §1-21, G.S.

8. The respondent commission took a vote at its meeting of September 5, 1978.

9. It is further found that the respondent commission failed to record such vote within 48 hours as further required by §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, all meetings of the respondent commission, except executive sessions as defined in subsection (e) of section 1-18a, shall be open to the public.

2. Henceforth, the votes of each member of the respondent commission, upon any issue before it, shall be reduced to writing and made available for public inspection within forty eight hours, excluding any Saturday, Sunday or legal holiday.

Judith A. Lahey

Commissioner Judith A. Lahey

as Hearing Officer

Approved by order of the Freedom of Information Commission on December 13, 1978.

Charlene G. Arnold

Charlene G. Arnold
Clerk of the Commission