

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by  
Stanley Gozdz & Donna Allegro,

Report of Hearing Officer

Complainants

against

Docket #FIC80-28

Town of Tolland; and Board of Tax  
Review of the Town of Tolland,

August 11, 1980

Respondents

The above captioned matter was heard as a contested case on July 22, 1980, at which time the complainants and 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 respondents are public agencies as defined by § 1-18a (a), G.S.

2. At the hearing on the above captioned matter, the respondents moved to dismiss, alleging that the Commission lacks jurisdiction because the complainants failed to file their notice of appeal within thirty days after the alleged violation of the Freedom of Information Act as required by § 1-21i(b), G.S.

3. By letter filed with the Commission on February 13, 1980, the complainants alleged that the respondent board violated the Freedom of Information Act by conducting a meeting on January 16, 1980 without conforming to the notice requirements provided in § 1-21, G.S.

4. It is found that the complaint herein was timely filed and that the Commission therefore has jurisdiction over the complaint.

5. The respondent board conducted a special meeting on January 16, 1980.

6. The respondent caused notice of said meeting to be posted in the office of the clerk of the respondent town.

7. That notice was in the form of a notation penned onto a wall calendar date block measuring approximately 1" x 1 1/2".

8. It is found that the size and location of the notation did not adequately provide notice to the public within the intent of § 1-21, G.S.

9. It is further found that although this notice specified the time and place of the meeting, it failed to specify the business to be transacted at the meeting, as 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 the respondent board shall provide notices for its special meetings which comply with all of the requirements of § 1-21, G.S., including notice of business to be transacted.

2. The respondent board shall instruct the town clerk to post such notice in a size, format, and location such that the public may have a meaningful opportunity to observe it.



Donald W. Friedman  
Donald W. Friedman  
as Hearing Officer

Approved by order of the Freedom of Information Commission on August 27, 1980.



Leslie Ann McGuire  
Leslie Ann McGuire  
Clerk of the Commission