

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Thomas Supina, Jr.,

Report of Hearing Officer

Complainant

Docket #FIC80-86

against

Town of Ashford; and First Selectman
of the Town of Ashford,

November 12, 1980

Respondents

The above captioned matter was heard as a contested case on September 4, 1980, 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 respondents are public agencies as defined by § 1-18a(a), G.S.

2. By letter dated April 1, 1980, the complainant requested copies of the minutes and "agenda notices" of every meeting of the respondent board from the date its present members took office until April 1, 1980.

3. In the same letter, the complainant requested copies of all correspondence between the respondent board and the town attorney from the date said board's present members took office until April 1, 1980.

4. On April 1, 1980, the respondent first selectmen informed the complainant that he would not comply with the complainant's request because he did not have time to do so.

5. By letter filed with this Commission on April 8, 1980, the complainant appealed to the Commission from the respondents' denial of his request.

6. After an unreasonable delay, but prior to the hearing on the above captioned matter, the respondents supplied the complainant with copies of the minutes for the board meetings of November 26, December 10, and December 17, 1979, and those of January 21, March 17, and March 31, 1980.

7. At the hearing on the above captioned matter, the respondents agreed to provide the complainant copies of the rest of the minutes

requested as well as copies of all of the agenda notices the complainant requested.

8. At the hearing on the above captioned matter the complainant modified his request for copies of correspondence between the respondent board and the town attorney (described in paragraph 3, above) to limit the copies requested only to correspondence pertaining to landfills.

9. The respondent first selectman testified that to his knowledge there had been no correspondence pertaining to landfills between the respondent board and the town attorney during his tenure in office, but agreed to recheck the board's files and to provide the complainant with copies of any such letters he might find.

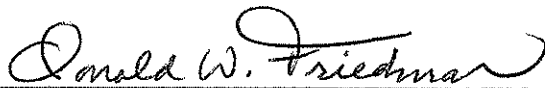
The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

1. The respondents shall forthwith provide the complainant with copies of the minutes of all meetings of said board from the date its present members took office until April 1, 1980, with the exception of the minutes for the meetings listed above, in paragraph 6.

2. The respondents shall forthwith provide the complainant with copies of the agendas of all meetings of said board from the date its present members took office until April 1, 1980.

3. The respondent first selectman shall forthwith search the respondent board's files to determine whether they contain any correspondence between the board and the town attorney regarding landfills, and provide the complainant either with copies of any such correspondence located, or with a letter stating that the files contain no such correspondence.

4. Henceforth the respondents shall reply to requests for copies of records promptly, as required by §§ 1-15, 1-19(a), and 1-21i(a), G.S.




Commissioner Donald Friedman
as Hearing Officer

June 24, 1983

Docket #FIC80-86

Approved by order of the Freedom of Information Commission at its regular meeting of November 26, 1980, per minutes dated December 10, 1980.



Mary Jo Jolicœur
Clerk of the Commission