

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by  
Frank F. Fedus, )  
Complainant ) Report of Hearing Officer  
 ) Docket #FIC81-21  
against )  
 ) July 8, 1981  
Town of Colchester and Board of  
Selectmen of the Town of Colchester,) Respondents )

The above captioned matter was heard as a contested case on June 24, 1981, 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 board is a public agency as defined by §1-18a(a), G.S.

2. By letter dated December 9, 1980 addressed to the first selectman of the respondent board, the complainant requested "a written or printed copy of the names left off the Grand List for Personal Property Assessment as of October 1, 1979."

3. By letter dated January 9, 1981, the first selectman of the respondent board replied to the complainant's request, stating that the information sought is available for inspection by the complainant during normal office hours, but that research, and typing of a list containing such information, would not be provided.

4. By letter filed with the Commission on February 3, 1981, the complainant asserted that the letter of January 9, 1981 constituted a denial of his right to copies of public records under the Freedom of Information Act.

5. At the hearing on this matter, the complainant clarified his request, specifying that he is seeking a list of the names omitted from the October 1, 1979 real property grand list of the respondent town since the last town-wide reassessment prior to that grand list.

6. It is found that such reassessment occurred in 1970.

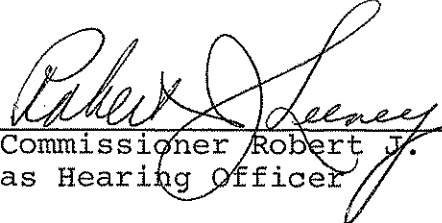
7. It is also found that the first selectman of the respondent board understood the nature and scope of the complainant's request.

8. It is further found that no such list exists or is maintained by the respondents, although the information requested can be abstracted from "correction of error slips" maintained by the board of assessors of the respondent town.

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

1. The complaint is hereby dismissed.

2. The Commission notes that the complainant is seeking copies of the information described in paragraph 5 of the findings above not for personal gain, but for commendable public purposes. Likewise, the Commission notes that the first selectman of the respondent board has demonstrated good faith in attempting to assist the complainant within the limited resources available to him. Because no list containing the requested information exists, the Commission encourages the parties to continue their cooperative relationship, and specifically encourages the respondents to provide whatever assistance they can in helping the complainant search for, and compile, the information he seeks.

  
Commissioner Robert J. Leeney  
as Hearing Officer

Approved by Order of the Freedom of Information Commission at its regular meeting of August 26, 1981.

  
Wendy R. B. Paradis  
Clerk of the Commission