

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by  
Mildred Paletsky,

Report of Hearing Officer

Complainant

Docket #FIC81-92

against

November 12, 1981

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

Respondents

The above captioned matter was heard as a contested case on October 15, 1981, at which time the complainant and the respondent board 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 filed with the Commission on June 5, 1981, the complainant alleged violations of § 1-21, G.S., by the respondent board in the preparation of the minutes of its meetings.
3. Specifically, the complainant alleged that certain actions were taken and decisions made at meetings of the respondent board held between February 24, 1981 and May 6, 1981, although the taking of votes was not reflected in the record of such meetings.
4. It is found that approximately one week prior to the filing of the complaint in this action, a document purporting to be the minutes of the meetings held by the respondent board between February 24, 1981 and May 6, 1981 was made available to the public.
5. It is found that the failure of the respondent board to prepare and make available minutes of its meetings in a timely manner violated § 1-21, G.S.
6. It is also found that the document referred to in paragraph 4, above, is insufficient to constitute minutes within the meaning of § 1-21, G.S.
7. It is therefore concluded that the respondent board failed to prepare minutes of its February 24, 1981 through May 6, 1981 meetings, in violation of § 1-21, G.S.

8. It is found that no agendas were published for the regular meetings of the respondent board held between February 21, 1981 and May 6, 1981, in violation of § 1-21, G.S.

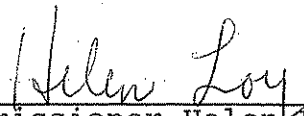
9. It is also found that at no meeting of the respondent board held between February 24, 1981 and May 6, 1981, were there official votes taken or recorded on decisions made by the respondent board, in violation of § 1-21, G.S.

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


1. The respondent board shall henceforth comply with the agenda, record of votes and minutes requirements of § 1-21, G.S.

2. The respondent board shall forthwith undertake to reconstruct a record of the proceedings at each of its meetings held between February 24, 1981 to May 6, 1981 and shall prepare and make available adequate minutes for all such meetings in accordance with the requirements of § 1-21, G.S.

3. The Commission notes that for purposes of reconstructing and recording votes taken at such meetings, unanimous decisions may be recorded by simply stating the names of the agency members present, the issue decided and indicating unanimity.

  
\_\_\_\_\_  
Commissioner Helen Loy  
as Hearing Officer

Approved by order of the Freedom of Information Commission  
at its regular meeting of December 9, 1981.

  
\_\_\_\_\_  
Mary Jo Jolicœur  
Clerk of the Commission