

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Andrew Urban

Complainant(s)

Docket #FIC84-43

vs.

Board of Selectmen of the
Town of Stafford,

June 13, 1984

Respondent(s)

The above captioned matter was by agreement of the parties consolidated with Docket #FIC84-2 and was heard on March 19, 1984. At that time both parties presented evidence and argument on the complaint.

After consideration of the entire record the following facts are found:

1. The respondent is a public agency within the meaning of §1-18a(a), G.S.
2. By letter mailed to the Commission February 16, 1984 the complainant alleged that the respondent denied him his right to inspect a letter.
3. The complainant was denied access to the letter January 18, 1984 by the first selectman.
4. The respondent claimed the document was exempt from disclosure under §1-19(b)(7), G.S.
5. Section 1-19(b)(7), G.S. exempts from disclosure the contents of real estate appraisals, engineering or feasibility estimates and evaluations made for or by an agency relative to the acquisition of property or to prospective public supply and construction contracts, until such time as all of the property has been acquired or all proceedings or transactions have been terminated or abandoned, provided the law of eminent domain shall not be affected by this provision.
6. The document in question was a three-page letter from Loureiro Engineering Associates outlining the "engineering services necessary to fulfill the requirements of the first phase of well contamination studies and investigations recommended to fully define present conditions, problems, likely source or sources, possible solutions and then options"

7. It is found that the document sought by the complainant is not exempt from disclosure under §1-19(b)(7), G.S.

8. The respondent argued in addition that the document was exempt as part of the actions of a single member public agency.

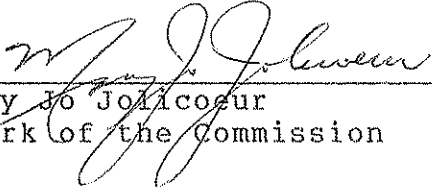
9. It is found that there is no exemption in the Freedom of Information Act for records pertaining to actions of single member public agencies.

10. The complainant was provided with a copy of the document prior to the date of hearing.

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

1. The respondent shall henceforth comply with §1-19(a), G.S. and §1-21, G.S.

Approved by order of the Freedom of Information Commission at its regular meeting of June 13, 1984.



Mary Jo Jolicœur
Clerk of the Commission