

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Marcia Stewart, President
Protect Your Environment

Docket #FIC84-58

vs.

Town Council of the Town
of Stratford

July 11, 1984

The above captioned matter was scheduled for hearing May 31, 1984 at which time the parties appeared and 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 Freedom of Information Commission April 10, 1984 the complainant alleged that the respondent violated §1-21 by ambiguously listing on the agenda for the March 12, 1984 meeting the discussion and vote on an agreement regarding Sikorsky Memorial Airport.
3. The complainant stated that while she was not seeking a declaration that the vote on the agreement be declared null and void, she wanted the legality of the agenda determined by the Commission.
4. The item for discussion and vote on the April 12, 1984 agenda was listed two times on the agenda.
5. The first listing indicated that a part of Town Attorney's Report "DN 107" would be discussed.
6. The second listing indicated that DN 107 would be discussed in executive session.
7. The respondent admitted that the agenda listing was brief but suggested that its significance could be inferred on the basis of other agendas which had listed the airport item with greater completeness.
8. It is found that the agenda requirements of §1-21, G.S. serve a notice function which is not satisfied by designating agenda items by number.

9. It is further found that the notice requirement for agendas is not satisfied by the adequacy of prior agendas, or by reference to other sets of minutes which could explain what the numbers on a given agenda mean.

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 the agenda requirements of §1-21, G.S.

Approved by order of the Freedom of Information Commission at its regular meeting of July 11, 1984.



Mary Jo Jolicœur
Clerk of the Commission