

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by  
James Quattro,

FINAL DECISION

Complainant

Docket #FIC85-152

against

December 11, 1985

State of Connecticut  
Codes and Standards Committee,

Respondent

The above captioned matter was heard as a contested case on September 24, 1985 at which time the complainant and the respondent appeared and presented testimony, exhibits 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 of complaint filed with the Commission on July 11, 1985 the complainant alleged as follows:
  - a. That the respondent failed to hold a rehearing on a matter remanded to it within the time frame of §126.6 of the Connecticut Basic Building Code;
  - b. That the respondent violated §1-21e, G.S. by failing to post written notice on or near the door of the place where a May 28, 1985 rehearing was to be held;
  - c. That the respondent failed to place a schedule of regular meetings on file with the secretary of state, in violation of §1-21, G.S.
  - d. That a document purporting to be a schedule of regular meetings indicated that a meeting would be held on July 8, 1985 at 1:30 p.m. but that no meeting was held on that date;

- e. That as of 1:45 p.m. on July 8, 1985 no notice of adjournment was on file nor was a notice of adjournment conspicuously posted on or near the door of the place where the meeting was to be held, in violation of §1-21d, G.S.
3. The complainant requested the imposition of a civil penalty.
4. It is found that the complainant's claim with respect to Connecticut's Basic Building Code does not allege a violation of the Freedom of Information Act and is, therefore, not a matter over which this Commission has jurisdiction.
5. The May 28, 1985 meeting of the respondent occurred more than 30 days prior to the filing of the complainant's complaint. The complainant's allegation regarding such meeting, therefore, is not a matter over which this Commission has jurisdiction.
6. A schedule of regular meetings of the respondent was placed on file at the office of the Secretary of the State on December 20, 1984 by Mr. Leo Belval, state building inspector.
7. The complainant claims that §1-21(a), G.S. requires a schedule of regular meetings to be filed by the secretary or the chairman of an agency and that since Mr. Belval is neither, the schedule placed on file by him is ineffective.
8. It is found that a schedule of regular meetings was adopted by the respondent at one of its meetings. Such schedule was forwarded to the office of the secretary of the state by Mr. Belval, whose office provides secretarial services to the respondent.
9. It is found that the respondent's method of placing on file a schedule of regular meetings did not violate §1-21(a), G.S.
10. Due to a lack of quorum and lack of preparation, the respondent did not hold a meeting on July 8, 1985.
11. §1-21d, G.S. provides that written notice of an adjournment shall be conspicuously posted on or near the door of the meeting place within 24 hours after the time of the adjournment.
12. It is found that the respondent's failure to immediately post notice of the cancellation of the July 8, 1985 meeting did not violate §1-21d, G.S. The Commission notes, however, that by providing notice of a meeting's cancellation as early as possible a public agency may best serve the interests of the public.

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.

Approved by order of the Freedom of Information Commission at its regular meeting of December 11, 1985.

  
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Mary Jo Jolicoeur  
Clerk of the Commission