

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by  
Kenneth Dixon, Rose Venditti  
and the Post Publishing Company,

FINAL DECISION

Complainants

Docket #FIC85-178

against

Bridgeport Humane Affairs  
Commission and the Town of  
Bridgeport,

January 22, 1986

Respondents

The above captioned matter was heard as a contested case on November 14, 1985 at which time the complainant and the respondent commission appeared and presented testimony, exhibits and argument on the complaint.

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

1. The respondent commission is a public agency within the meaning of §1-18a(a), G.S.

2. On August 8, 1985 the respondent held an executive session, without notice to the public, during which it voted to demote to registered nurse the acting Nursing director at the Dinan Memorial Center, Marianne Csigi.

3. By letter of complaint filed with the Commission on August 19, 1985 the complainants appealed the respondent's failure to provide notice of the August 8, 1985 executive session and further alleged that the vote to demote Ms. Csigi had been taken in executive session, that on August 13, 1985 the complainant Dixon was denied access to minutes of the August 8, 1985 meeting, that a copy of the minutes seen on that date made no mention of an executive session but that the minutes were later altered ("falsified") to reflect the executive session, that Ms. Csigi was not given notice that she would be discussed, that no agenda was provided for the August 8, 1985 meeting and that no schedule of regular meetings was placed on file by the respondent in 1985. The complainants asked that the Commission declare null and void the respondent's vote to demote Ms. Csigi and that the respondent be "disciplined."

4. Notice of the August 8, 1985 meeting had been forwarded to the complainants. The complainant Dixon was in attendance at the meeting. However, the respondent conceded that it failed to file a schedule of regular meetings in 1985, that no agenda was provided for the August 8, 1985 meeting and that it did not give notice to Ms. Csigi that she would be discussed in executive session, in violation of §1-21(a), G.S.

5. It is found that the taking of a vote in executive session on August 8, 1985 violated §§1-18a(e)(1) and 1-21(a), G.S.

6. The respondent claimed total ignorance of the requirements of the Freedom of Information Act. The respondent asserted, however, that since the filing of the complainants' complaint, it has become aware of the Act's requirements and that it will in the future take whatever actions are necessary to comply.

7. On August 15, 1985 the complainant Dixon requested and was provided access to inspect handwritten minutes of the August 8, 1985 meeting. That same day a typed version of the minutes was prepared and a copy was given to the complaint Dixon. The typed version of the minutes contained a reference to an executive session, whereas the earlier, handwritten version contained no such reference.

8. It is found that minutes of the August 8, 1985 meeting of the respondent were available to the public within seven days, as required by §1-21(a), G.S.

9. It is also found that the addition, to prepared minutes, of a reference to an executive session did not violate any provision of the Freedom of Information Act.

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

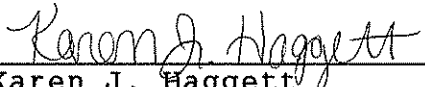
1. The respondent's August 8, 1985 vote regarding the employment of the acting nursing director at Dinan Memorial Center is hereby declared null and void.

2. The respondent shall henceforth act in strict compliance with the requirements of §1-21(a), G.S. regarding the filing of schedules of regular meetings, public notice of and access to all meetings and agendas of regular meetings.

3. The respondent shall henceforth act in strict compliance with the requirements of §§1-18a(e)(1) and 1-21(a), G.S. regarding executive sessions.

4. The Commission notes that the respondent's total ignorance regarding the requirements of the Freedom of Information Act is inexcusable and cautions the respondent that future violations of the Act could result in the imposition of civil penalties of up to \$1,000.

Approved by order of the Freedom of Information Commission at its regular meeting of January 22, 1986.

  
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Karen J. Haggett  
Clerk of the Commission