

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Scott Vining, Jr. and Charles
H. Plopper

Report of Hearing Officer

Complainants

against

Docket #FIC 85-218

Enfield Charter Revision
Commission and the Town
of Enfield

Respondents

February 26, 1986

The above captioned matter was heard as a contested case on January 29, 1986 at which time the complainants and the respondents appeared and presented testimony 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. By letter of complaint filed with the Commission on October 21, 1985, the complainant alleged that the respondent commission on September 23, 1985, voted to postpone its meetings for the months of October and November, 1985.

3. The respondent commission filed a motion to dismiss claiming the alleged postponement does not violate any provision of the Freedom of Information Act and that the Commission lacks jurisdiction over the complaint.

4. The respondent commission requested that the Commission impose a civil penalty against the complainants.

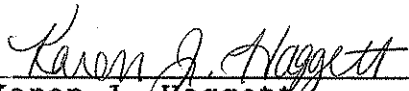
5. It is found that the mere postponement of regularly scheduled meetings does not violate any provision of the Freedom of Information Act.

6. It is therefore concluded that the Commission lacks jurisdiction to determine the complaint.

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.
2. The Commission declines to impose a civil penalty against the complainants as requested by the respondents.

Approved by order of the Freedom of Information Commission at its regular meeting of February 26, 1986.



Karen J. Haggett
Clerk of the Commission