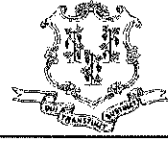


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FREEDOM OF INFORMATION



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Paul Baer,
Complainant(s)
against

Notice of Meeting

Docket #FIC 2014-382

Sara B. Laughlin, Chairman, Board of Assessment Appeals, Town of Thompson; Board of Assessment Appeals, Town of Thompson; and Town of Thompson,
Respondent(s)

April 1, 2015

Transmittal of Proposed Final Decision

In accordance with Section 4-179 of the Connecticut General Statutes, the Freedom of Information Commission hereby transmits to you the proposed finding and decision prepared by the hearing officer in the above-captioned matter.

This will notify you that the Commission will consider this matter for disposition at its meeting which will be held in the Freedom of Information Commission Hearing Room, 18-20 Trinity Street, 1st floor, Hartford, Connecticut, at **2 p.m. on Wednesday, April 22, 2015**. At that time and place you will be allowed to offer oral argument concerning this proposed finding and order. Oral argument shall be limited to ten (10) minutes. For good cause shown, however, the Commission may increase the period of time for argument. A request for additional time must be made in writing and should be filed with the Commission **ON OR BEFORE April 10, 2015**. Such request **MUST BE (1) copied to all parties, or if the parties are represented, to such representatives, and (2) include a notation indicating such notice to all parties or their representatives.**

Although a brief or memorandum of law is not required, if you decide to submit such a document, an **original and fourteen (14) copies** must be filed **ON OR BEFORE April 10, 2015**. **PLEASE NOTE: Any correspondence, brief or memorandum directed to the Commissioners by any party or representative of any party MUST BE (1) copied to all parties, or if the parties are represented, to such representatives, (2) include a notation indicating such notice to all parties or their representatives and (3) be limited to argument. NO NEW EVIDENCE MAY BE SUBMITTED.**

If you have already filed a brief or memorandum with the hearing officer and wish to have that document distributed to each member of the Commission, it is requested that **fifteen (15) copies** be filed **ON OR BEFORE April 10, 2015**, and that **notice be given to all parties or if the parties are represented, to their representatives, that such previously filed document is being submitted to the Commissioners for review.**

By Order of the Freedom of Information Commission

W. Paradis

Acting Clerk of the Commission

Notice to: Paul Baer; William H. St. Onge, Esq.; Sarah B. Laughlin;
Board of Assessment Appeals, Town of Thompson;
Town of Thompson

2015-04-01/FIC# 2014-382/Trans/wrbp/TCB//TAH

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FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In The Matter of a Complaint by

Report of Hearing Officer

Paul Baer,

Complainant

against

Docket #FIC 2014-382

Sarah B. Laughlin, Chairman, Board
of Assessment Appeals, Town of
Thompson; Board of Assessment
Appeals, Town of Thompson; and
Town of Thompson,

Respondents

April 1, 2015

The above-captioned matter was heard as a contested case on January 21, 2015, at which time the complainant and the respondents appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint.

For purposes of the hearing, this matter was consolidated with Docket #FIC2014-586; Sarah Laughlin, Chairperson, Board of Assessment Appeals, Town of Thompson; Erica Groh, Member, Board of Assessment Appeals, Town of Thompson; Linda Jarmolowicz, Member, Board of Assessment Appeals, Town of Thompson; Board of Assessment Appeals, Town of Thompson; and Town of Thompson.

After consideration of the entire record, the following facts are found and conclusions of law are reached:

1. The respondents are public agencies within the meaning of §1-200(1), G.S.
2. It is found that by e-mail dated September 13, 2014 the complainant appealed to this Commission alleging that the respondents violated the Freedom of Information ("FOI") Act by failing to file the minutes for meetings held by the respondent board between March 4, 2014 and May 7, 2014 as required by §1-225(d), G.S. The complainant requested the imposition of civil penalties.
3. Section 1-225(a), G.S., provides in relevant part that:

The votes of each member of any such public agency upon any issue before such public agency shall be reduced to

writing and made available for public inspection within forty-eight hours and shall also be recorded in the minutes of the session at which taken. Not later than seven days after the date of the session to which such minutes refer, such minutes shall be available for public inspection ...Each public agency shall make, keep and maintain a record of the proceedings of its meetings.

4. It is found that at least seven regular meetings were held by the respondent board between March 4 and May 7, 2014 for which minutes were not filed until June 23, 2014.

5. It is found, and the respondents admit, that the minutes for those meetings were not filed within seven days after they were held as required by §1-225(a), G.S.

6. It is concluded, therefore, that the respondents violated §1-225(a), G.S., by failing to make the minutes of its March 4 through May 7, 2014 regular meetings available for public inspection within seven days after those meetings.

7. With respect to the complainant's request for a civil penalty, this Commission declines to consider such request in this case.

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

1. Henceforth, the respondents shall strictly comply with the meetings provisions of §1-225(a), G.S.



Attorney Tracie C. Brown
as Hearing Officer