

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by)
Andrew Belotti and Alex. Cislo,) Report of Hearing Officer
Complainants) Docket #FIC76-168
against) October 27, 1976
City and Town of Shelton and the)
Board of Alderman of the City and)
Town of Shelton, Respondents)

The above captioned matter was heard as a contested case on October 15, 1976, at which time the complainants and the respondents appeared and presented testimony, exhibits and argument on the complaint.

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

1. The respondents are public agencies as defined in §1(a) of P.A. 75-342.

2. At 8:00 p.m. on September 22, 1976, the respondent board held a special meeting.

3. By letter of complaint filed with this Commission on September 28, 1976, the complainants alleged that such meeting was held in violation of P.A. 75-342 in that the respondent board acted upon matters that were outside the notice to the meeting.

4. It is found that many matters outside the notice to the special meeting were discussed by the respondent board in violation of Sec. 6 of P.A. 75-342.

5. The complainants claim relief by way of an order declaring void all actions taken at such meetings of the respondent board.

6. In support of such remedy, the complainant Belotti testified that item no. 1 on the notice of the meeting, concerning a proposed ordinance prepared by him was relegated to item no. 11. It was supplanted by items of business not properly noticed. As a result thereof, complainant Belotti contends he was unable to be present to speak in favor of his proposal due to the unwarranted length of the meeting caused by the increased agenda.

7. The only action taken with respect to this proposal was its referral to the October 18, 1976 regular meeting of the respondent board.

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

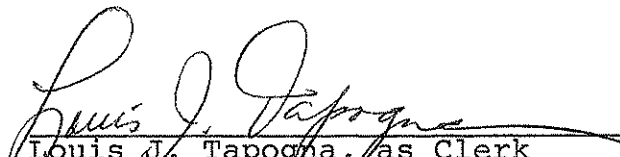
1. The respondent board shall henceforth strictly comply with §6 of P.A. 75-342 and shall not discuss or act upon matters other than those set forth in the notice of any special meeting.



Commissioner Judith Lahey

as Hearing Officer

Approved by order of the Freedom of Information Commission on November 10, 1976.



Louis J. Tapogna, as Clerk
of the Commission