

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by)
Nancy McAfee, Chairman, Moderate) Report of Hearing Officer
Income Tenants Advisory Committee,)
Complainant) Docket #FIC76-178
)
against) December 30, 1976
)
City and Town of Stamford and the)
Stamford Housing Authority,)
Respondents)

The above captioned matter was heard as a contested case on November 4, 1976, at which time the complainant and the respondent authority 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 by §1(a) of P.A. 75-342.

2. On September 29, 1976 and September 30, 1976 the respondent authority held two meetings.

3. By letter of complaint filed with this Commission on October 14, 1976, the complainant alleged that both the record of votes and the minutes of the aforesaid meetings were not available for public inspection on October 8, 1976, in violation of the time requirements of §6 of P.A. 75-342.

4. The record is unclear as to whether the record of votes were made available within the time periods required.

5. It is clear on the record that the minutes of the meeting of September 29, 1976 were not available until October 19, 1976. The minutes of the meeting of September 30, 1976 were not available until some time thereafter.

6. The respondent authority contends that the minutes of the aforesaid meetings were made available within a reasonable period of time in view of the work schedule of its executive director in the weeks that followed, and in view of the fact that the minutes, which are the responsibility of the same director, constitute a careful rephrasing of all resolutions, cast in legal form, and a careful rewording of all of the business discussed on the dates in question.

7. P.A. 75-342 does not specify the content of the minutes other than the requirement that the votes of each agency member upon any issue before it must be recorded therein. P.A. 75-342 further provides that "minutes shall be available for public inspection at all reasonable times." The term "reasonable times" has been interpreted by this Commission as usually within one week of the meeting in question. The fact that an agency chooses to expand upon the minutes, or files an expanded minutes document at some later date, does not alter this time requirement. It is therefore found that the minutes of the aforesaid meetings of the respondent authority were not filed at a reasonable time within the meaning of §6 of P.A. 75-342.

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

1. Henceforth, the respondent board shall in all respects comply with the provisions of P.A. 75-342 concerning the availability of the minutes of its meetings.

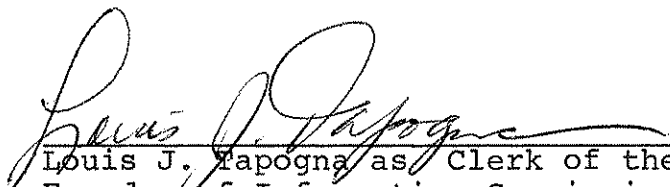
2. This Commission recommends that if the respondent authority continues to file an expanded minutes document, it should also file a summary of its proceedings as minutes, so that the time requirements of §6 of P.A. 75-342 will be met.



Commissioner Helen Loy

as Hearing Officer

Approved by order of the Freedom of Information Commission on
January 12, 1977.



Louis J. Papogna as Clerk of the
Freedom of Information Commission