

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by ) Patricia Barber, Irma Callaghan, ) Ann Marie Chernovetz, Florence ) Pedbereznak, Mrs. Robert Field ) and Anthony DeFazio, ) Complainants )	Report of Hearing Officer Docket #FIC76-184 December 8, 1976
against )	
City and Town of Ansonia and ) Sewer Authority of the City and ) Town of Ansonia, Respondents )	

The above captioned matter was heard as a contested case on November 16, 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. By letter dated October 21, 1976 and filed with this Commission on October 22, 1976, the complainants alleged that the respondent authority did not file in the office of the town clerk either the minutes of its meetings or its other agency records as required by P.A. 75-342.

3. In the same letter, the complainants further alleged that the respondent authority had not filed its schedule of regular meetings with the town clerk as required by §6 of P.A. 75-342.

4. By ordinance, the board of alderman is designated as the sewer authority of the respondent town.

5. The respondent authority does not have its own regular office or place of business.

6. It is found that the minutes of the meetings of the board of alderman, acting as the respondent authority, are on file in the office of the clerk of the respondent town.

7. The audits, invoices, design bills and other financial records of the respondent authority are kept in

the office of the finance director.

8. The office of the finance director is not physically present in the office of the town clerk of the respondent town, although it is in the same office building.

9. The finance director is under the authority of the clerk of the respondent town, at least with respect to financial management and financial record keeping of the respondent authority.


10. It is found that the public records of the respondent authority are properly kept and maintained within the meaning of §2(a) of P.A. 75-342.

11. It is further found that the respondent authority has filed its schedule of regular meetings as required by §6 of P.A. 75-342.


12. It should also be noted that the hearing on this complaint could have been avoided had the clerk and finance director of the respondent town provided greater directory assistance to the records in which access was sought, in keeping with the policy of disclosure under P.A. 75-342.

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.

  
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Commissioner Herbert Brucker  
as Hearing Officer

Approved by order of the Freedom of Information Commission on December 22, 1976.

  
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Leslie Ann McGuire  
Clerk of the Commission