

Freedom of Information Commission  
of the State of Connecticut

In the Matter of a Complaint by )  
Theodore Augustynowski, Complainant ) Report of Hearing Officer  
against ) Docket #FIC 76-84  
Town of Griswold and the Housing ) June 14, 1976  
Authority of the Town of Griswold, )  
Respondents )

The above captioned matter was heard as a contested case on June 11, 1976, at which time the complainant 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.
2. At the meeting of the respondent housing authority on May 11, 1976, it was suggested by the town attorney that the housing authority convene in executive session.
3. The complainant, who was present at such meeting, voiced his opposition to the convening of an executive session and departed from the meeting room.
4. Although no motion was made and no vote was taken on the suggestion to convene in executive session, the complainant departed because he believed that the respondent housing authority had accepted such suggestion. The several other members of the public present at such meeting at that time also departed the meeting room.
5. Minutes of the respondent housing authority meeting of May 11, 1976 have been published.
6. By letter dated May 14, 1976, the complainant brought the present matter before this Commission alleging violation of P.A. 75-342 by the respondent housing authority in conducting a portion of its meeting of May 11, 1976 in executive session in contravention of such Act.

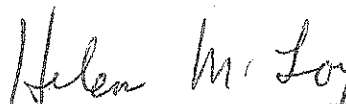
7. It is concluded that the respondent housing authority did not convene in executive session at the meeting in question.

8. No motion was made to convene in executive session and no vote thereupon was taken. Also, the complainant and the other members of the public present at such meeting were neither requested to leave nor physically removed from the premises by, or at the instruction of, the respondent housing authority.

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.

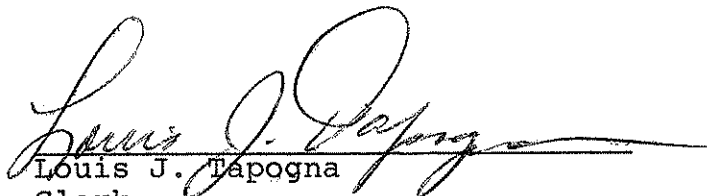
2. Although this complaint is dismissed on the basis that the respondent housing authority did not, in fact, convene in executive session, the decision of this Commission is limited to the facts herein presented. Where the facts in other cases so warrant, this Commission may find an executive session convened even though no formal motion in that regard was made and no formal vote thereupon was taken.



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Commissioner Helen Loy

as Hearing Officer

Approved by order of the Freedom of Information Commission on  
June 25, 1976.



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Louis J. Tapogna  
Clerk

Freedom of Information Commission