

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by)
Joseph Dubitzky, Complainant) Report of Hearing Officer
vs.) Docket #FIC78-136
Town of West Hartford, and the)
Personnel Department of the Town) August 25, 1978
of West Hartford, Respondents)

The above captioned matter was heard as a contested case on August 17, 1978, at which time the complainant and the respondents appeared, stipulated to certain facts, and presented argument on the complaint.

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

1. The respondents are public agencies as defined by §1-18a(a), G.S.

2. By letter dated July 6, 1978, the complainant requested from the respondents a list of all town executives' salaries and their fringe benefits.

3. The complainant filed the present appeal with the Commission on July 12, 1978, alleging that the respondents had denied him such information.

4. On or about August 1, 1978, the respondents fully complied with the complainant's request. It should be noted that many more salaries than those properly designated executive were voluntarily given to the complainant at such time.

5. The complainant wants the Commission to determine that such records are public records for purposes of the Freedom of Information Act, even though such records had already been received by him well in advance of this hearing.

6. At hearing, the respondents moved to dismiss the matter without further evidence, as the matter was no longer a contested case at the time of hearing.

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

1. Based upon the respondents' voluntary compliance with the complainant's request, the complaint is hereby dismissed, as the matter no longer constitutes a contested case.

Judith Lahey
Commissioner Judith Lahey

as Hearing Officer

Approved by order of the Freedom of Information Commission on September 13, 1978.

A handwritten signature in cursive script, appearing to read "Charlene G. Arnold". The signature is written in black ink and is positioned above a horizontal line.

Charlene G. Arnold
Clerk of the Commission