

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
William A. Collins; Kenneth J.
Slapin; F. Donald Soper; Kathleen
Morrow; Fred Bondi; Elizabeth B.
Gibbs; Hugh J. Cavanaugh; and
J. P. Santucci,

Complainants

Report of Hearing Officer

against

Docket #FIC79-198

Recreation and Parks Commission
of Norwalk,

March 12, 1980

Respondent

The above captioned matter was heard as a contested case on March 4, 1980, at which time the complainants and the respondent appeared, stipulated to certain facts, and presented testimony, exhibits and argument of the complaint.

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

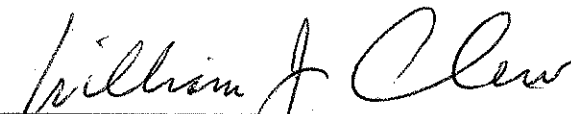
1. The respondent is a public agency as defined by §1-18a(a), G.S.
2. On August 17, 1979, the respondent held a special meeting at which six of its seven members were present.
3. No one else attended the aforesaid meeting, except as noted in paragraph 2, above.
4. At the meeting of August 17, 1979, the respondent, among other things, voted to appoint a Mr. Sciarra as Director of Recreation and Parks, a paid position in the Norwalk Department of Recreation and Parks. The vote was four in favor and two against.
5. There was no agenda for the respondent's special meeting of August 17, 1979.
6. No notice of the time and place of the August 17, 1979 special meeting, or statement of the business to be transacted thereat, was filed with, or posted in, the office of the Norwalk City Clerk, although a four line article appeared in a local newspaper on August 16, 1979, stating that a special meeting of the respondent would be held the next day at the time and place of the meeting in question.
7. It is found that the respondent's special meeting on August 17, 1979 was held in violation of §1-21, G.S., in that no notice specifying the time and place of such meeting, and the business to be transacted thereat, was posted, or caused to be posted by the respondent in the office of the Norwalk City Clerk.

8. It is further found that the newspaper article referred to in paragraph 6, above, does not meet the notice of special meeting requirements set forth in §1-21, G.S.

9. Consequently, by its failure to provide the notice required by §1-21, G.S., the respondent denied to members of the public the right to attend its special meeting on August 17, 1979.

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

1. All actions taken by the respondent at its special meeting on August 17, 1979 are hereby declared null and void.



Commissioner William J. Clew
as Hearing Officer

Approved by order of the Freedom of Information Commission on
April 9, 1980.



Leslie Ann McGuire
Clerk of the Commission