

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Donald Frattini,

FINAL DECISION

Complainant

Docket #FIC83-71

against

November 4, 1983

Killingworth Board of Tax
Review,

Respondent

The above captioned matter was heard as a contested case on July 18, 1983, at which time the complainant and the respondent appeared and presented testimony, exhibits and argument on the complaint.

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

1. The respondent is a public agency within the meaning of §1-18a(a), G.S.

2. By letter of complaint filed with the Commission on April 7, 1983, the complainant alleged that the respondent had "[a]t an unknown place on an unknown date and time . . . convened in a secret, unpublished meeting" to discuss and thereafter vote upon the complainant's petition for tax reduction.

3. On February 9, 1983, the complainant appeared before the respondent to present his petition for tax reduction.

4. On February 20, 1983, the three members of the respondent conducted an inspection of the complainant's house for assessment purposes.

5. On March 19, 1983 the complainant received notice that his petition had been denied.

6. The notice of denial stated that the complainant's petition had been dismissed "[a]t a meeting . . . held on the 9[th] day of February, 1983."

7. The complainant claimed that the decision could not have been rendered on February 9, 1983, because the property inspection did not take place until February 20, 1983.

8. It is found that the respondent's decision regarding the complainant's property was made on February 20, 1983 during the tour of the complainant's house.


9. It is found that the actions of the respondent which gave rise to the complainant's appeal to this Commission occurred more than 30 days prior to the filing of his complaint.

10. It is therefore concluded that this Commission lacks, and declines to exercise, jurisdiction over the complainant's complaint.

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

1. The complaint is hereby dismissed.

Approved by order of the Freedom of Information Commission at its regular meeting of October 26, 1983.



Mary Jo Jolicoeur
Clerk of the Commission