

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by  
Paul Lipka,

FINAL DECISION

Complainant

Docket #FIC84-31

against

June 13, 1984

Trumbull Emergency Medical  
Service of the Town of  
Trumbull,

Respondent

The above captioned matter was heard as a contested case on April 16, 1984 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. The respondent held a regular meeting on January 24, 1984.
3. By letter of complaint filed with the Commission on March 6, 1984 the complainant alleged that the minutes of the January 24, 1984 meeting had not been filed within seven days, in violation of §1-21, G.S. and that the respondent failed to properly record the votes of its members at such meeting. The complainant also requested the imposition of a civil penalty against the respondent.
4. The minutes of the respondent's January 24, 1984 meeting were filed with the town clerk of Trumbull on February 1, 1984, eight days after such meeting. However, the minutes of such meeting were available for public inspection at the offices of the respondent on January 31, 1984. It is concluded that with respect to its January 24, 1984 meeting the respondent did not violate the requirements of §1-21, G.S. regarding the availability of minutes.
5. It is also found that the respondent's use of "[a]ll in favor" to record unanimous votes complies with the requirements of §1-21, G.S. regarding the recording of votes at meetings of public agencies.

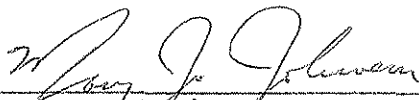
6. At hearing, the respondent requested the imposition of a civil penalty against the complainant pursuant to §1-21i(b), G.S. on the ground that the appeal in this case has been taken frivolously, without reasonable grounds and solely for the purpose of harassing the respondent.

7. The Commission hereby denies both the complainant's and the respondent's request for the imposition of civil penalties.

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.

Approved by order of the Freedom of Information Commission at its regular meeting of June 13, 1984.

  
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Mary Jo Jolicœur  
Clerk of the Commission