

Freedom of Information Commission
of the State of Connecticut

In the Matter of a Complaint by)

Theodore Augustynowski and) Report of Hearing Officer
Terrence Fish, Complainants)

against) Docket #FIC 76-105

Town of Griswold, Board of) July 21, 1976
Selectmen of the Town of)
Griswold and Griswold Housing)
Authority, Respondents)

The above captioned matter was heard as a contested case on July 15, 1976, at which time the complainant Augustynowski 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. By two letters of complaint filed with this Commission on June 11, 1976, the complainants alleged that a special meeting of the respondent board of selectmen and housing authority on May 29, 1976 was held in violation of P.A. 75-342.
3. Essentially, the complainants contend that there was improper notice of such special meeting and that members of the respondent board of selectmen failed to file written waivers of notice as required by §6 of P.A. 75-342.
4. It is found that all members of the respondent board of selectmen actually attended the special meeting in question. Therefore, it is concluded that waivers of notice need not have been filed by such members under §6 of P.A. 75-342.
5. It is further found that notice of such special meeting was filed with the Town Clerk of Griswold at approximately 3:30 p.m. on May 27, 1976. The Town Clerk, in turn, posted said notice immediately thereafter.
6. Some time subsequent to the posting of such notice, it was covered by other documents on the bulletin board used for the posting of public notice. It is unclear when such notice was actually covered, although an interested observer could have physically uncovered it.
7. It is concluded that the notice of the special meeting in question complied with the requirements for such notice pursuant to §6 of P.A. 75-342.

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.

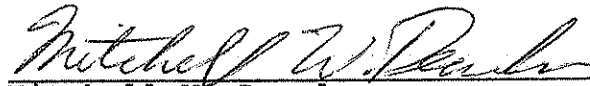
2. Nothing herein shall be construed as indicating that the notice requirements for special meetings pursuant to §6 of P.A. 75-342 are met in circumstances not discussed above where such notice is covered from public vision. The Commission strongly recommends that in the future, the respondents attempt to keep posted notices of special meetings clearly visible for public inspection.



Commissioner Judith A. Lahey

as Hearing Officer

Approved by order of the Freedom of Information Commission on July 28, 1976.



Mitchell W. Pearlman
Acting Clerk of the Commission