FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by Nancy McAfee, Complainant	Report of Hearing Officer
against	Docket #FIC77-21
City of Stamford and the Housing Authority of the City of Stamford, Respondents	February 23, 1977

The above captioned matter was heard as a contested case on February 23, 1977, at which time no one appeared and the complainant failed to prosecute her complaint.

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.

Judith Lahey
Commissioner Judith Lahey

as Hearing Officer

Denied by order of the Freedom of Information Commission on March 9, 1977.

Louis J. Tapogna
Louis J. Tapogna, as Clerk of the
Freedom of Information Commission

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by Nancy McAfee, Complainant	Report of Hearing Officer
against	Docket #FIC77-21
City of Stamford and the Housing Authority of the City of Stamford, Respondents	April 13, 1977

The above captioned matter was originally scheduled to be heard as a contested case on February 23, 1977, at which time no one appeared, whereupon the Hearing Officer, in her proposal of decision, recommended that the complaint be dismissed. Such recommendation was denied by order of the Freedom of Information Commission on March 9, 1977.

The hearing in the above captioned matter was then rescheduled to April 7, 1977, at which time the complainant and the respondent authority appeared and presented testimony, exhibits and argument on the complaint.

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

1. The respondent authority is a public agency as defined in §1-18a(a), G.S.

2. At a meeting held on January 19, 1977, the respondent authority instructed its executive director to seek the support of the mayor concerning a certain tax abatement proposal that the authority was making to the city council.

3. Pursuant to the above instruction, on January 26, 1977 the mayor and the executive director conferred with each other, in the office of the mayor, concerning such tax abatement proposal.

4. Several days prior to such conference the executive director notified all of the members of the respondent authority of the time and place of her appointment with the mayor, and invited them to accompany her in a show of support for the tax abatement idea.

5. A quorum of the respondent authority did respond to the above invitation and were present on January 26, 1977 at the aforesaid conference.

6. None of the provisions of §1-21, G.S. regarding notice, minutes and record of votes were followed with respect to the above conference.

7. By letter filed with the Commission on February 4, 1977, the complainant alleged that such failure to post notice constituted a violation of §1-21, G.S.

8. The issue which the parties are seeking to be resolved is the question of whether or not the conference of January 26, 1977 was a "meeting" of a public agency as defined in §1-18a(b), G.S.

9. §1-18a(b), G.S. defines "meeting" as any convening or assembly of a quorum of a multi-member public agency to discuss or act upon a matter over which the public agency has supervision, control, jurisdiction or advisory power.

10. None of the agency members of the respondent authority participated in the January 26, 1977 discussion between the mayor and the executive director concerning the issue of tax abatement.

11. There was an informal discussion between the mayor and two commissioners concerning whether or not two commissioners were related.

12. This, however, was not a matter relating to official business.

13. It is therefore found that the January 26, 1977 conference between the executive director of the respondent authority and the mayor of the respondent city did not constitute a "meeting" of a public agency within the meaning of §1-18a(b) to which the provisions of §1-21, G.S. concerning notice, minutes and record of votes apply.

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.

Judith A Lahey

Commissioner Judith A. Lahey

as Hearing Officer

Approved by order of the Freedom of Information Commission on April 27, 1977.

Louis J. Tapogna, as Clerk of the Freedom of Information Commission