

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Carol Bryan,

Complainant

Report of Hearing Officer

Docket #FIC79-191

April ²¹~~15~~, 1981

against

City and Town of Branford;
Planning and Zoning Commission
of the City and Town of Branford,

Respondents

The above captioned matter was scheduled for hearing February 28, 1980 at which time the parties appeared and presented evidence and argument on the complaint.

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

1. The Respondents are public agencies within the meaning of §1-18a(a) G.S.
2. By complaint filed with the Commission September 4, 1979, the Complainant alleged violation of the Freedom of Information Act by the failure of the Respondent Board to file minutes of a "conference meeting" which was held on July 2, 1979.
3. On July 2, 1979 the Respondent Commission held a "conference meeting" at Tandy's restaurant at 6:15.
4. During the aforesaid meeting the Respondent Board was informed what agenda items would be discussed, however the members of the board did not discuss the substance of the items.
5. Other conversation at the dinner meeting was social in nature.
6. Section 1-18a(b) defines "meeting" as "any hearing or other proceeding of a public agency, any convening or assembly of a quorum of a multi-member public agency, whether in person or by means of electronic equipment, to discuss or act upon a matter over which the public agency has supervision, control or advisory power.
7. Section 1-18a(b) excludes from the definition of meeting "a social meeting neither planned nor intended for the purpose of discussing matters relating to official business" and "communication limited to notice of meetings of any public agency or any agendas thereof.

8. It is found that since the discussion at the dinner gathering concerned notice of the agenda items rather than discussion of the substance of those items that it was not a meeting within the meaning of §1-18a(b), G.S.

The following order of 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 Freedom of Information Commission at its regular meeting of May 27, 1981

Wendy Rae Briggs

Wendy Rae Briggs
Clerk of the Commission