

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Raymond R. Sweezy,

Complainant

against

City and Town of Rocky Hill;
Mayor of the City and Town of
Rocky Hill and Town Council
of the City and Town of Rocky Hill,

Report of Hearing Officer

Docket #FIC81-34

September 8, 1981

Respondents

The above captioned matter was scheduled for hearing on May 29, 1981 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 a public agency within the meaning of §1-18a(a), G.S.
2. By letter filed with the Commission on February 18, 1981 the complainant alleged that the respondent mayor had violated §1-21, G.S. by failing to give him notice of an emergency meeting which was held February 3, 1981.
3. On February 2, 1981 the town council voted to close a landfill.
4. On the same day in accordance with the council rules, the respondent mayor called an emergency meeting for February 3, 1981 to reconsider the vote on the landfill.
5. The mayor notified all members of the town council by phone except the complainant, including others who had voted in the same manner as the complainant.
6. The respondent mayor had tried and failed to reach the complainant by telephone several times to inform him of the emergency meeting.
7. Section 1-21, G.S. requires delivery of the notice of special meetings, including emergency meetings, "to the usual place

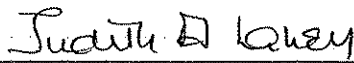
of abode of each member of the public agency so that the same is received prior to such special meeting."

8. It is found that the respondent mayor violated §1-21, G.S. when he failed to cause written notice to be delivered to the complainant's abode.

9. The town council has since amended its rules to require written notice to be delivered.

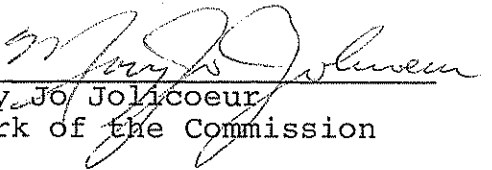
The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

1. The respondent mayor shall henceforth comply with the notice requirements for special and emergency meetings which are set forth at §1-21, G.S.



Commissioner Judith A. Lahey
as Hearing Officer

Approved by order of the Freedom of Information Commission
at its regular meeting of October 14, 1981.



Mary Jo Jolicoeur
Clerk of the Commission