

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Report of Hearing Officer

Nicholas B. Wynnich

Docket #FIC81-89

Complainant(s)

May 7, 1982

against

Library Board of Directors
of the City and Town of
Ansonia

Respondent(s)

The above captioned case was scheduled for hearing October 15, 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 public agencies within the meaning of §1-18a(a), G.S.
2. By letter filed with the Commission June 5, 1981 the complainant alleged that the respondent had violated Section 1-21, G.S. by failing to have a list of votes available within 48 hours of the meeting which was held June 1, 1981.
3. The complainant requested records showing the votes taken at the June 1, 1981 meeting of the respondent at 9:35 a.m. on June 4, 1981.
4. When the complainant left the library at 12:05 p.m. he had not been given the records which he requested.
5. The librarian who had received the complainant's request for records showing the votes taken at the June 1, 1981 meeting was required to stay at the front desk during the morning hours.
6. When the librarian obtained copies of the records requested by the complainant at approximately 12:05, he was gone.
7. The next day, June 5, 1981, copies of the votes were given to the complainant.

8. It is found that the complainant failed to prove the respondents failed to comply with the requirement of §1-21, G.S. that a record of votes be available within 48 hours of the meeting to which it refers.

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

1. The above captioned complaint is hereby dismissed.

Judith A. Lahey

Commissioner Judith A. Lahey
as Hearing Officer

Approved by order of the Freedom of Information Commission
at its regular meeting of June 9, 1982.

Mary Jo Jolicoeur

Mary Jo Jolicoeur
Clerk of the Commission