

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint
by Susan Maloney,

Complainant

against

City and Town of Meriden; Management
and Budget Committee of the Meriden
City Council,

Respondents

Report of Hearing Officer

Docket #FIC81-139

March 10, 1982

The above captioned matter was heard as a contested case on January 8, 1982, at which time the complainant and the respondent committee appeared, stipulated to certain facts, and presented testimony, exhibits and argument on the complaint.

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

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

2. On July 22, 1981, the respondent committee held a special meeting in the city council chambers of the Meriden city hall to conduct a public hearing on a school bond issue.

3. By letter filed with the Commission on August 5, 1981, the complainant alleged as follows regarding such meeting:

- a. That the city council chambers was not a sufficiently large meeting place in view of the number of persons who had attended meetings of the respondent committee in the past;
- b. that no agenda had been posted;
- c. that a land site proposal and the issue of building a new school had been raised at such meeting although no notice had been given that these items would be discussed; and
- d. that the three subjects allegedly discussed at the meeting (bond issue, land site and new school) should have been treated at separate public hearings.

4. In her letter of complaint, the complainant requested that the actions of the respondent committee at its July 22, 1981 meeting be declared null and void.

5. It is found that the council chambers of the Meriden city council can accomodate approximately 40 members of the public.

6. It is found that at the July 22, 1981 meeting of the respondent committee there were chairs and seating room for all those in attendance, and that no one was turned away from such meeting.

7. It is therefore concluded that the public was not denied its right to attend the meeting of the respondent committee on July 22, 1981.

8. It is found that the notice for the July 22, 1981 special meeting described the subject of the meeting with sufficient specificity to provide reasonable notice to the public of the business to be discussed.

9. It is therefore concluded that the failure of the respondent committee to post an agenda for its July 22, 1981 meeting did not violate §1-21, G.S.

10. It is found that at its July 22, 1981 meeting, held as a public hearing, the respondent committee failed to limit the questions from the public in attendance to the business specified in the notice for such special meetings.

11. It is found that questions from the public in attendance regarding issues not specified in the notice for such meeting caused some confusion as to what was properly under discussion.


12. It is found that questions from the public resulted in treatment of items not specified in the notice of the July 22, 1981 meeting, such treatment was in violation of §1-21, G.S.

13. It is found that the Commission lacks jurisdiction to consider the question of whether the topics allegedly undertaken by the respondent committee should have been undertaken in separate meetings.


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

1. The complaint is hereby dismissed as to the allegations contained in paragraphs 3(a), (b) and (d), above, of the findings.

2. The respondent committee shall henceforth limit discussions at its special meetings to issues specified in the notices for such special meetings.


Commissioner Robert Leeney
as Hearing Officer

Approved by order of the Freedom of Information Commission
at its special meeting of April 15, 1982.



Mary Jo Jolicoeur
Clerk of the Commission