

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of Complaint by
Joseph Zdonczyk,

FINAL DECISION

Complainant

Docket #FIC81-172

against

June 28, 1982

Town of Wolcott and Chairman,
Police Chief Selection Committee
of the Town of Wolcott,

Respondents

The above captioned matter was scheduled for hearing January 12, 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 complainant requested access to the minutes of the executive sessions of the Mayor's Ad Hoc Committee for Selection of Chief of Police on October 13, 1981.
2. On October 16, 1981, the complainant's request was denied.
3. On October 19, 1981 the complainant filed his complaint with the Commission.
4. The respondent claimed that the committee was not a public agency within the meaning of § 1-18a(a), G.S.
5. The mayor of the Town of Wolcott has the duty to appoint the police chief.
6. The mayor appointed a committee of citizens and charged it with developing and managing a search process to find and evaluate candidates for the position of chief of police.
7. The committee was asked to provide the chief with two or three qualified applicants so that the chief could choose from among them.
8. The town attorney advised the committee upon how it should comply with the Freedom of Information Act.

9. A consultant advised the committee with respect to its task.

10. The committee divided into subgroups to perform some of its tasks.

11. It is found that the committee and the respondent chairman are public agencies within the meaning of § 1-18a(a), G.S.

12. The committee developed minutes of its executive and public sessions.

13. Section 1-18a(d) defined public records as

any recorded data or information relating to the conduct of the public's business prepared, owned, used, received or retained by a public agency whether such data or information be hand-written, typed, tape recorded, printed, photostated, photographed or recorded by any other method.

14. It is found that the minutes of the executive sessions requested by the complainant are public records subject to disclosure under § 1-19(a), G.S.

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

1. The respondent shall provide the complainant with copies of the minutes which are requested by him.

2. The respondent may delete such portions of the minutes as are exempt from disclosure under § 1-19(b) and the names of the job applicants who were interviewed at the executive sessions pursuant to § 1-21g.

Approved by order of the Freedom of Information Commission at its regular meeting of June 23, 1982.



Mary Jo Jolicoeur
Clerk of the Commission