FREEDOM OF INFORMATION COMMISSION OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by Henry Keezing and the Herald, Complainants)	Report of Hearing Officer
)	Docket #FIC78-16
against)	April 10, 1978
City and Town of New Britain; and Common Council of the City and Tow of New Britain, Respondents) n)	

The above captioned matter was heard as a contested case on March 1, 1978, at which time the complainants and the respondents appeared and presented testimony and argument on the complaint.

Walter Clebowicz and William E. Atwood, having requested permission to participate in the hearing, were expressly permitted to do so and identified, individually, as interevenors.

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

- 1. The respondent council is comprised of fifteen aldermen. Eight aldermen constitute a quorum.
- 2. On January 17, 1978, twelve of the thirteen democratic aldermen met. The democratic aldermen called such gathering a "caucus" for purposes of §1-18a(b), G.S.
- 3. The complainants were specifically denied access to the meeting room of such gathering.
- 4. From such denial, the complainants appealed to the Commission by letter filed on January 30, 1978.
- 5. §1-18a(b), G.S., states: "'Caucus' means a convening or assembly of the enrolled members of a single political party who are members of a public agency within the state or a political subdivision."
- 6. A caucus under §1-18a(b), G.S., therefore must be limited to the membership of a public agency.
- 7. Various city department heads were present at the aforesaid January 17, 1978 gathering of the democratic aldermen. They were present in order to answer questions of the democratic aldermen relating to matters placed on the agenda for the January 18, 1978 regularly scheduled meeting of the respondent council.

- 8. The aforesaid departmental heads were not members of the respondent council.
- 9. At least one such department head was not an enrolled member of the democratic party.
- 10. The respondent council is a public agency within the meaning of §1-18a(a), G.S.
- 11. The January 17, 1978 gathering in question therefore is found to constitute a meeting of a public agency within the meaning of §1-18a(b), G.S.
- 12. It is further found that the complainants were denied their right to attend the January 17, 1978 meeting of the respondent council, as required by §1-21, G.S.

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

1. Henceforth, all meetings of the respondent council shall be open to the public, except as otherwise provided by any federal law or state statute.

Commissioner Donald W. Friedman

as Hearing Officer

Approved by order of the Freedom of Information Commission on April 26, 1978.

Charlene G. Arnold as Clerk of the Freedom of Information Commission