FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by David Dyer and Joan Coe

FINAL DECISION

Complainants

Docket #FIC 85-114

against

October 23, 1985

Charter Revision Commission of the Town of Simsbury

Respondent

The above captioned matter was heard as a contested case on July 26, 1985 at which time the complainants and the respondent appeared and presented testimony, exhibits and argument on the complaint.

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

1. The respondent is a public agency within the meaning of section 1-18a(a), G.S.

2. By letter filed with the Commission on May 15, 1985 the complainants alleged that the respondent held an illegal meeting on May 9, 1985 because it discussed a matter not on the agenda, in particular, that it discussed the First Selectman/Town Meeting form of government.

3. The agenda for the meeting had as an item for discussion and action: "Consideration of representative town meeting and council mayor forms [.] Members of Simsbury Board of Selectmen have been invited."

4. A letter sent at the request of the Chairman of the respondent to the members of the Board of Selectmen invited each of the selectmen to the meeting.

5. The main agenda item was described incorrectly in this letter. It stated, "we solicit your participation on the main agenda item...which is consideration of the Selectman/Town Meeting form of government."

6. The discussion at the meeting ranged widely with considerable focus upon the selectman form of government.

7. The content of the discussion was affected by the incorrect description of the agenda which was contained in the letter of invitation to the selectmen; however, there was some discussion of the representative town meeting form of government and the council mayor form of government.

8. It is found that the agenda was not so misleading that it violated the notice requirements of §1-21 G.S.

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

1. The complaint is dismissed.

2. Review of the record of the May 9, 1985 meeting shows that the quality of the discussion at the meeting would have been higher if the selectmen had been informed correctly of the meeting agenda by a letter or other communication which stated clearly the respondent's intentions concerning the main subject matter of the meeting.

Approved by order of the Freedom of Information Commission at its regular meeting of October 23, 1985.

Mary Jo Jolicoeur
Clerk of the Commission