

Freedom of Information Commission  
of the State of Connecticut

In the Matter of a Complaint by )  
John J. Boruch, )  
Complainant ) Report of Hearing Officer  
against ) Docket #75-29  
City of Willimantic, Mayor ) January 9, 1976  
Arnold A. Bocash, Common )  
Council of Willimantic, )  
Respondents )

The above captioned matter was heard as a contested case on January 8, 1976, at which time the complainant and the respondents appeared and presented testimony, exhibits and argument on the complaint.

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

1. The respondents are public agencies as they are the City, Mayor, and Common Council of Willimantic. The complainant is an Alderman of the City of Willimantic.

2. On Sunday, December 14, 1975, a meeting of the Mayor and Common Council of the City of Willimantic, as defined in section 1(b) of P.A. 75-342, was held at the residence of Alderman Martineau. The Mayor and entire Common Council, with the exception of the complainant, were present.

3. The respondents conceded that the meeting was held to discuss certain problems and the manner in which the Mayor and Common Council should address such problems in the press. It did not clearly appear that these were personnel problems, as distinguished from personality problems, for which P.A. 75-342 does not authorize an executive session.

4. No written notice of the meeting was published. There was no vote to conduct such meeting as an executive session, although the public was excluded therefrom.

5. No minutes of the meeting were recorded or published.

6. The complainant contends he was not given the notice of this meeting as a special meeting.

7. It is found that this convening was a special meeting of a public agency for which notice to the members, public notice, and public access to minutes was required by P.A. 75-342.

8. It is concluded that the respondents convened this meeting in a manner that was prohibited by P.A. 75-342 and that an appropriate remedy should be ordered by this Commission.

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

1. The respondents shall forthwith publish minutes of the meeting of the Mayor and Common Council of the City of Willimantic held on December 14, 1975.

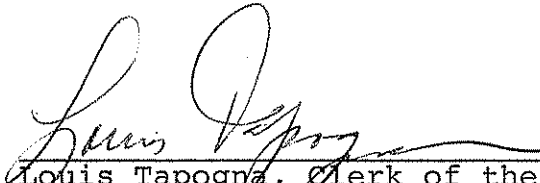
2. Any actions taken at such meeting are hereby declared null and void.

3. Henceforth all meetings of the respondents shall be held in conformity with the provisions of P.A. 75-342.

  
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Chairman Herbert Brucker

as Hearing Officer

Approved by order of the Freedom of Information Commission  
on January 21, 1976.

  
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Louis Tapogna, Clerk of the  
Commission