

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by)
Victoria Sharman, Complainant) Report of Hearing Officer
against) Docket #FIC76-210
Town of Montville and the Zoning)
and Planning Commission of the) January // , 1976
Town of Montville, Respondents)

The above captioned matter was heard as a contested case on December 29, 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 defined in §1(a) of P.A. 75-342.
2. On November 9, 1976 respondent Zoning and Planning Commission held a regularly scheduled meeting. At the conclusion of this meeting the meeting of November 23rd was cancelled. The chairman of the Commission announced that a social gathering would be held on the twenty-third of November.
3. The respondent town held a referendum on November 23, 1976. In a local paper an article appeared stating that a party sponsored by respondent commission would be held at the American Legion Hall. The place was chosen because the chairman was a member and the town hall was unavailable because of the referendum.
4. The complainant went to the Hall and could not find the room in which the party was being held. Subsequently, she left the hall and knocked on an outside fire door; this door led to the room where the party was being held.
5. Public access to the room is through the bar at the Hall. This door was closed during the party.
6. A quorum of the Zoning Commission attended the party, as did two members of the general public.
7. The plaintiff presented no evidence that the respondent Commission discussed any business at this gathering.

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

1. This matter is dismissed because the complainant has failed to prove that a meeting occurred as defined in §1(b) of P.A. 75-342.

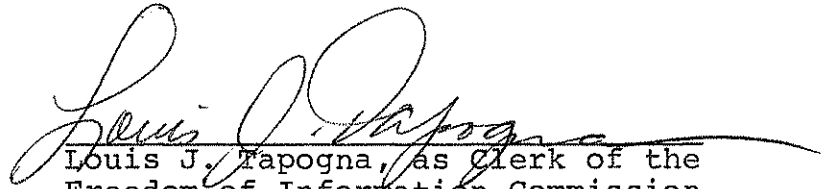
2. The Commission cautions the respondents in the future to avoid such gatherings as the one here in question, because they offer opportunity for concealment of any business that may be conducted there, and therefore may mislead the general public.



Commissioner Herbert Brucker

as Hearing Officer

Approved by order of the Freedom of Information Commission on
January 26, 1977.



Louis J. Tapogna, as Clerk of the
Freedom of Information Commission