

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint	)	
Robert H. Boone Complainant	)	Report of Hearing Officer
	)	
against	)	Docket #FIC77-169
	)	
Housing Authority of the Town	)	November 9, 1977
of Enfield; and John Santanella,	)	
Member of the Housing Authority of	)	
the Town of Enfield,	)	
Respondents	)	

The above captioned matter was heard as a contested case on September 22, 1977 at which time the complainant and the respondents appeared and presented testimony and argument on the complaint.

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

1. The respondents are public agencies within the meaning of §1-18a(a), G.S.

2. Four commissioners of the respondent authority gathered on August 17, 1977 at the town attorney's office to discuss legal aspects of terminating the employment of its director.

3. Four commissioners constitute a quorum of the respondent authority.

4. By letter filed with this Commission on August 23, 1977 the complainant alleged that the aforesaid gathering was illegal as required by the Freedom of Information Act, as codified in Chapter 3, G.S.

5. The complainant further requested that a penalty for willful violation of the act be imposed upon the respondent Santanella in that he had previously assured the complainant that the business of the respondent authority would be conducted in accordance with the Freedom of Information Act.

6. Prior to the gathering in issue, the respondent, Santanella, had been advised by counsel that such a gathering was exempted from the Freedom of Information Act by the attorney-client privilege.

7. No public notice was given and no minutes were kept or filed of the aforesaid gathering.

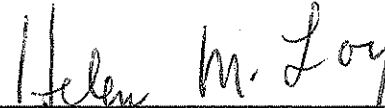
8. It is found that the aforesaid gathering of the respondent authority was a meeting within the terms of §1-18a(b) held in violation of the notice and minutes provisions of §§1-19(a) and 1-21, G.S.

9. It is further concluded that there was no willful violation of the Freedom of Information Act.

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

1. The respondent authority shall forthwith produce and file the minutes of its meeting held August 17, 1977 in accordance with §§1-19(a) and 1-21, G.S.

2. Henceforth, the respondent authority shall strictly comply with all provisions of the Freedom of Information Act.



Helen M. Loy, Chairman

Approved by order of the Freedom of Information Commission on November 9, 1977.



Charlene C. Arnold, Clerk of the  
Freedom of Information Commission