

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by )	
Alan R. MacDowell and the )	Report of Hearing Officer
Southington Taxpayers Association, )	
Inc., )	Docket #FIC78-36
Complainants )	
against )	April 12, 1978
)	
Town of Southington and the )	
Board of Ethics of the Town of )	
Southington, )	
Respondents )	

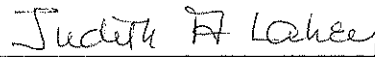
The above-captioned matter was heard as a contested case on April 10, 1978, at which time the complainants and the respondent board appeared, stipulated to certain facts, and presented testimony and argument on the complaint.

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

1. The respondent board is a public agency as defined by §1-18a(a), G.S.
2. The respondent board was constituted by Section 12 of the "Code of Ethics" ordinance of the respondent town. It is composed of four members.
3. By letter of complaint filed with the Commission on February 21, 1978, the complainants alleged that the respondent board held a meeting on February 2, 1978 without posting public notice.
4. The respondent board held a special meeting on February 2, 1978 without posting notice thereof in the office of the clerk of the respondent town twenty-four hours prior to the time of such meeting as prescribed by §1-21, G.S.
5. All four members of the respondent board received notice and attended its meeting of February 2, 1978.
6. The respondent board did not show that the public could not also have received the notice prescribed for special meetings under §1-21, G.S. prior to holding such meeting.
7. It is therefore concluded that such meeting did not constitute an emergency special meeting within the meaning of §1-21, G.S., but rather, a special meeting for which notice was required.

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

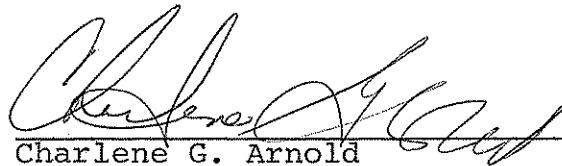
1. Henceforth, notice of each special meeting of the respondent board shall be given not less than twenty-four hours prior to the time of such meeting by posting a notice of the time and place thereof, and the business to be transacted, in the office of the clerk of the respondent town.



\_\_\_\_\_  
Commissioner Judith A. Lahey

as Hearing Officer

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



\_\_\_\_\_  
Charlene G. Arnold  
Clerk of the Commission