

## Freedom of Information

1. All meetings open to the public except by Executive Session for specific purposes. Attending public - may not be required to give name, etc.
2. Regular Meetings
  - a. Schedule of same filed with Town Clerk in January.
  - b. Agenda of regular meeting publicly available in Arts Office twenty-four (24) hours before meeting.
  - c. Minutes/Votes - Votes at regular meeting filed in office forty-eight (48) hours after meeting; exclusive of all days in which the office is not open for regular business.
    - i. Minutes, which must include all votes, on file in office seven (7) days after meeting, exclusive of days office is not open for regular business.
    - ii. Votes – of each member present are to be noted.
  - d. Items not specifically listed on the agenda may only be discussed and acted upon by a two- third (2/3) consenting vote of the members present and voting.
3. Special Meetings
  - a. Notice of same not less than twenty-four (24) hours prior to time of meeting. Notice filed with town Clerk, listing time and place of meeting and business to be transacted.
  - b. Emergency meeting may be held without public notice. However, the minutes of the special/emergency meeting which outlines the nature of the emergency and the proceedings that occurred must be filed with the Town Clerk within seventy-two (72) hours of the special/emergency meeting.
  - c. Notice to members: Notice written of special and/or emergency meetings must be delivered to the abode of all members of the public agency unless a member submits a written waiver of same.
  - d. Business at special and/or emergency meeting may only be the business covered by the notice.
4. Executive session
  - a. “Executive Session” means a meeting of a public agency at which the public is excluded for one or more of the following purposes:
    - i. Discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a public officer or employee, provided that such individual may require that discussion be held at an open meeting;
    - ii. Strategy and negotiations with respect to pending claims or pending litigation to which the public agency or a member thereof, because of his conduct as a member of such

- agency, is a party until such litigation or claim has been finally adjudicated or otherwise settled;
  - iii. Matters concerning security strategy or the deployment of security personnel, or devices affecting public security;
  - iv. Discussion of the selection of a site or the lease, sale or purchase of real estate by a political subdivision of the state when publicity regarding such site, lease, sale, purchase or construction would cause a likelihood of increased price until such time as all of the property has been acquired or all proceedings or transactions concerning same have been terminated or abandoned; and
  - v. Discussion of any matter which would result in the disclosure of public records or the information contained therein described in subsection (b) of section 1-210.
- “Section 210. Access to public records. Exempt records.
- (b) Nothing in the Freedom of Information Act <sup>1</sup> shall be construed to require disclosure of:
- (1) preliminary drafts or notes provided the public agency has determined that the public interest in withholding such documents clearly outweighs the public interest in disclosure;
  - (2) personnel or medical files and similar files the disclosure of which would constitute an invasion of personal privacy;
  - (3) records of law enforcement agencies not otherwise available to the public which records were compiled in connection with the detection or investigation of crime.
- b. An Executive Session requires the affirmative vote of 2/3 of the members present and voting taken at a public meeting and stating the reasons for the Executive Session.
  - c. Attendance is limited to the members of said body and persons invited to present pertinent testimony or opinion. Attendance by same is limited to the time needed to present said testimony, opinion. Minutes of Executive Session must show who is in attendance, exclusive of job applicants.
  - d. Individual public official employee who is topic of the session may require said discussion be held in an open meeting.
  - e. The FOI guidelines are to be construed as not allowing for votes in Executive Session.
5. Public Records – open to public inspection promptly during normal business hours and a copy of public records promptly upon receipt of written request. “Promptly” appears to be discretionary upon part of official holding records and action based on immediacy of need. Agency record holder has four business days in which to comply or file a written denial of access with the requesting person. Failure to file written denial within four days constitutes a denial to access.

Exemptions: While there are numerous exemptions under the law for the purpose of general commission and office operations, the only exemption would be preliminary draft of staff memorandum and writings.