

EAST BAY — A 30-page document drafted by the Rhode Island Attorney General's office details numerous recent violations of the state's Open Meetings Act and Access to Public Records Act by the Bristol County Water Authority.

#The document, drafted by Assistant Attorney General Michael W. Field, answers the complaints filed by Colley Court residents Jeff and Janice Black who have closely monitored the local water authority's actions and operations procedures for more than a year.

#Among the water authority's violations cited by the Attorney General's office was insufficient public notice of meeting agendas, failure to record all votes in the meeting minutes, and failure to allow access to certain public documents.

#“It is most significant that the Department found non-compliance by BCWA as to the core issues that formed the basis of our complaint,” wrote Mr. Black in a recent letter. “Once faced with our complaint, BCWA began to correct some of the non-compliance that we had previously brought to their attention. It is a shame that BCWA did not, of their own initiative, opt to place the proper emphasis on compliance with open government laws instead of waiting until they were faced with an AG complaint.”

#While the Attorney General's office found numerous violations committed by the Bristol County Water Authority it rejected some complaints made by Mr. and Mrs. Black. It also stopped short of issuing a fine against the water authority.

#“Having reviewed this matter, we find no evidence of a willfull or knowing violation,” wrote Mr. Field in the 30-page decision.

#“With respect to injunctive relief, we conclude that injunctive relief is not appropriate for several of the violations identified above.”

#The Bristol County Water Authority has faced serious criticism for more than a year; residents, media organizations and town officials from Barrington, Warren and Bristol have questioned the

day-to-day operations and financial decisions at the authority. An audit ordered by the three East Bay town councils found various problems at the BCWA.

#Mr. and Mrs. Black filed their original complaint against the authority on Jan. 25, 2010 and followed it up with numerous additional documents alleging various violations.

#Mr. Field said he carefully reviewed each complaint and issued individual findings.

#“I dealt with each issue. I looked at the facts. I looked at the laws. Either we found that the law wasn’t followed or there was no violation,” Mr. Field said.

#Improvements

#Mr. Black said the water authority improved its compliance to OMA and APRA standards only after the Attorney General’s office began investigating the situation.

#“When I raised the issues at one of the first BCWA Board of Directors meetings that I attended, the directors dismissively informed me that, yes, they were following a detailed agenda that was different than the published agenda notice, and that this was what they had always done,” wrote Mr. Black. “I objected and let the Directors know that this practice was a violation of Open Meetings Laws. At the meeting, the directors ridiculed my concerns and ignored my objections. So Janice and I included the issue in our AG complaint. It was only when they were faced with the AG complaint that the Authority finally recognized and agreed that their agenda/ notice scheme violated the law. Only then did they agree to make the necessary changes.”

#Mrs. Black added: “I remain extremely concerned about the manner in which BCWA and its representatives have treated the members of the public who have dared to speak out about the problems at BCWA. The public’s concerns have been proven to be well-justified.”

#Mr. and Mrs. Black said there were some concerns regarding information included in the 30-page decision from the Attorney General's office, specifically comments issued by the water authority's attorneys, Hinkley, Allen & Snyder, LLP. The attorneys reportedly criticized the Blacks behavior.

#“The untrue, negative and chilling statements by certain well-paid BCWA representatives toward me are highly disturbing,” wrote Mrs. Black. “It is even more disturbing that the Department would publish certain such statements in the decision notwithstanding that we prevailed on many counts.

#“We hope that BCWA and its well-paid representatives will now begin to focus on solving the many problems at BCWA.”

#Mr. Black added: “Due to all the recent changes and the high level of Tri-Town Council focus on BCWA, we believe that BCWA is now on a good path. We greatly appreciate that many Tri-Town councilors and some of the BCWA directors share our concerns and are now trying to resolve the problems.”

.