

Bristol County Water Authority cleared of open meetings violations

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WARREN — The state attorney general's office found no evidence that the Bristol County Water Authority knowingly violated the Rhode Island Open Meetings Law and Access to Public Records Act.

The conclusions were filed in response to multiple complaints by Jeff and Janice Black of Barrington, who complained that the water authority violated both laws on numerous occasions. The office found the authority violated the Open Meetings Law by failing to provide adequate public notice for some of its agendas.

A recent performance audit found wide-ranging problems with the management of the water authority, which provides water to Barrington, Warren and Bristol. The audit concluded that employees, including executives, are paid more than employees at five other Rhode Island utilities.

It also recommended that the treatment plant should be closed until improvements are made to the facility and a raw water pipeline.

The executive director of the authority announced his resignation in early August after the highly critical audit.

In the ruling, Assistant Attorney General Michael W. Field wrote that the authority acknowledges that some of its agendas violated the Open Meetings Law, particularly when it failed to provide insufficient public notice.

"Having reviewed this matter, we find no evidence of a willful or knowing violation," Field wrote. "It is also noteworthy that after you advised the authority of the insufficiency of its notice, the authority did alter its public notice, although this did not occur at the immediate next meeting."

The attorney general has the authority to impose civil fines if it finds that a public agency has willfully violated the public meeting or records acts. But the office concluded that civil fines would not be appropriate for the violations alleged by the Blacks.

Although the water authority denied a Jan. 21, 2010, request for information, the Blacks resubmitted the request and the authority responded. The Blacks also charged that the Feb. 3, 2010, minutes were not available to the public, but those minutes were made public a week later.

Field wrote, “We note that our review of the authority’s more recent posted notices provide significantly more information than the notices discussed in this finding.”