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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2008

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A N A C T

RELATING TO THE CREATION AND INCORPORATION OF THE NEW TOWN OF
WESTCONNAUG

Introduced By: Representative Nicholas Gorham

Date Introduced: February 26, 2008

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. It is the purpose of this act to create and incorporate a new town and body
2 politic in this state to be called the town of Westconnaug, comprising the present towns of Exeter,
3 West Greenwich, Scituate, Foster and Glocester and that part of the town of Coventry
4 encompassed by the Western Coventry Fire District.

5 SECTION 2. The town of Westconnaug shall be invested with all the powers and duties
6 accorded to towns in general under the constitution and general laws of Rhode Island and such
7 further powers and duties delegated to the various towns and district consolidated into and
8 comprising the new town of Westconnaug by special acts of the general assembly applicable to
9 said towns and district, as fully and completely as though specifically enumerated herein.

10 SECTION 3. The town of Westconnaug shall be governed by a town council of seven (7)
11 members elected at large by the qualified electors of the town for a term of two (2) years on the
12 general election day in even numbered years. The council shall elect from among its members a
13 president and vice-president each to serve at the pleasure of its council. The president shall
14 preside at all meetings of the council and shall be recognized as the head of town government.
15 The vice-president shall act as president during the absence or disability of the president. The
16 town council shall appoint a school committee of five (5) members to serve two (2) year terms
17 contemporaneous with the terms of the council who shall be invested with the powers and duties
18 of school committees pursuant to law, to serve the schools of the town as provided in section 4

1 hereof. All other powers of the town shall be vested in the council, except as otherwise provided
2 herein, and the council shall provide for the exercise thereof and for the performance of all duties
3 and obligations imposed on the town by law. The council shall receive such compensation as the
4 council may determine, but not to be increased during the council's term of office. No member of
5 the council shall hold any other town office or employment during that council member's term of
6 office or for two (2) years thereafter. Vacancies in the council shall be filled by the town council
7 until the next general election.

8 SECTION 4. The schools of the town of Westconnaug shall consist of the present schools
9 of the Exeter-West Greenwich Regional School District, of the Foster-Glocester Regional School
10 District, of the town of Scituate, of the town of Foster, of the town of Glocester and the Western
11 Coventry School. All of said schools shall be under the direction of one superintendent of
12 schools, with all powers and duties of superintendents of schools under the general laws, who
13 shall be appointed by the school committee established and appointed as provided in section 3
14 hereof.

15 SECTION 5. There shall be a town administrator to be appointed by the town council to
16 serve at the pleasure of the council who shall be charged with the supervision and administration
17 of all town employees and departments, excepting the school department, and shall be invested
18 with all the powers and duties currently held by the administrator of the town of West Greenwich
19 according to the charter of that town.

20 SECTION 6. There shall be one police department of the town of Westconnaug which
21 shall be responsible for the preservation of the public peace, prevention of crime, apprehension of
22 criminals, protection of persons and property, and enforcement of the laws of this state and
23 ordinances of the town. There shall be a chief of police appointed by the town administrator with
24 the approval of the town council, to serve at the pleasure of the administrator, who shall be
25 responsible for the supervision and administration of the department.

26 SECTION 7. Fire and emergency services for the town of Westconnaug shall be provided
27 by the fire companies and districts as presently constituted and governed.

28 SECTION 8. There shall be one public works department of the town of Westconnaug
29 which shall be responsible for the highways, roads and bridges of the town, other public works,
30 recreation areas and town buildings. There shall be a director of public works appointed by the
31 town administrator with the approval of the town council to serve at the pleasure of the
32 administrator who shall be responsible for the supervision and administration of the department.

33 SECTION 9. There shall be one planning board and one zoning board of review for the
34 town of Westconnaug to be appointed by the town council as provided by law and to have the

1 powers and duties provided by the law.

2 SECTION 10. There shall be one town clerk for the town of Westconnaug and one town
3 office for the town. The town clerk shall be appointed by the town council for a term of two (2)
4 years contemporaneous with the term of the council and until a successor may be appointed. The
5 records of the towns and district comprising the town of Westconnaug shall be consolidated and
6 maintained by the town clerk under an expeditious schedule to be determined by the clerk and
7 council. There shall be a deputy town clerk appointed by the town clerk with the approval of the
8 town council, the deputy shall succeed to the office of town clerk in the event of a vacancy. The
9 clerk shall have such powers and duties as provide by law and assigned to the clerk by the
10 administrator or town council.

11 SECTION 11. There shall be such other offices of the town of Westconnaug as provided
12 by law and appointed by the administrator with the approval of the town council, to serve as
13 provided by law and at such compensation as may be appropriated.

14 SECTION 12. The town of Westconnaug's fiscal year shall be from July 1 to June 30 in
15 each year or as may be otherwise enacted by the town council. The adoption of the town's annual
16 budget, the appropriation of funds and the ordering of any tax required to support the budget shall
17 be the duty and authority of the town council. The proposed budget shall be prepared and
18 presented to the council by the administrator no later than March 15 in each year. The council
19 shall conduct one or more public hearings on said proposal, make such revisions and additions as
20 the council shall deem necessary and adopt the budget in final form no later than May 15. In
21 order to meet any emergency threatening the public health, safety or peace, the council may make
22 an emergency appropriation and provide for the raising of necessary funds. All borrowing by the
23 town shall require the approval of the electors voting at a special or general election. All
24 appropriations shall lapse at the close of each fiscal year and any borrowing that has been
25 approved but not funded shall lapse one year after any vote approving the same.

26 SECTION 13. The question of the approval of this act shall be presented to the voters of
27 the towns and district comprising the proposed town of Westconnaug at the Rhode Island general
28 election on November 4, 2008. The question shall be submitted in substantially the following
29 form: "Shall an act passed at the 2008 session of the General Assembly entitled 'An Act to Create
30 and Incorporate the new Town of Westconnaug' be approved'" and the warning for the election in
31 each of said towns and district shall contain the question to be submitted. The town clerks and
32 district clerk of said towns and district shall keep a copy of this act available for public inspection
33 at least from and after October 4, 2008, but the validity of the vote on this act shall not be affected
34 by this requirement or the adequacy of the warrant for the election.

1 SECTION 14. This section and section 13 shall take effect upon passage. The remainder
2 of this act shall take effect upon the approval of this act by a majority of the electors of the
3 proposed town of Westconnaug voting on the question as prescribed by section 13 and the
4 following provision shall also then take effect:

5 The town of Westconnaug will come into existence as provided herein on July 1, 2009.
6 Upon approval of this act each of the town councils and the directors of the Western Coventry
7 Fire District at their first meeting in January 2009 shall appoint one member of a town of
8 Westconnaug Transitional Authority to arrange and provide for the establishment of the town of
9 Westconnaug and to provide for the necessary procedures for the election of the town council of
10 the town of Westconnaug at the November 2, 2010 general election to take office on December 1,
11 2010. The transitional authority shall provide for the transfer of property, including schools, town
12 land and buildings, land trust properties, and all other assets to the town of Westconnaug. The
13 bonded debts of the towns, school districts and fire district forming the town of Westconnaug
14 shall be assumed by and shall be the obligation of the town of Westconnaug and notwithstanding
15 any provision to the contrary all taxable property of the town shall be subject to ad valorem
16 taxation for payment of said debts without limitation as to rates or amount. Any surplus funds
17 held by any town or district forming the town of Westconnaug shall be reimbursed to taxpayers of
18 that town or district in proportion that the taxpayer's assessment bears to the total assessment. In
19 the case of the Western Coventry Fire District the bonded debt to be assumed shall be that portion
20 of the bonded debt of the town of Coventry in the ratio that the population of the fire district bears
21 to the population of the town of Coventry. The transitional authority shall make provision for an
22 initial budget for the town of Westconnaug for the fiscal year beginning July 1, 2009 and ending
23 on June 30, 2010 and for the fiscal year July 1, 2010 to June 30, 2011 and shall have authority to
24 order a tax to support these initial beginnings. The transitional authority shall have authority, and
25 be responsible for, administration of the town of Westconnaug from July 1, 2009 until the
26 installation of the initial town council of the town on December 1, 2010. The transitional
27 authority shall have authority to employ and supervise the officers and school and municipal
28 employees of the towns and district comprising the town of Westconnaug until December 1, 2010
29 and shall make no new appointments or employments except to fill vacancies.

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