

Minutes of a special meeting of the Town Council held March 24, 2011 beginning at 6:05 Pm in the Town Council Chambers, Town Hall, 40 Commons, Little Compton, RI. Members present: Charles N. Appleton, Jr., Fred M. Bodington, III; Paul J. Golembeske, Gary S. Mataronas and Robert L. Mushen. Also in attendance: Lt. A. Marion, Ptlm. P. Martin, Sgt. J. Faria, Sgt. C. Natale all members of IBPO Local 644 and Ralph Ezovski, Representative from the state office of IBPO.

At 6:05 PM the Town Council President polled his fellow Councilors to enter into executive session under RIGL Section 42-46-5(a)(2) collective bargaining. All voted in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen).

The Council continued negotiations with the members of IBPO Local 644.

At 6:45 PM the Town Council President polled his fellow Councilors to come out of executive session under RIGL Section 42-46-5(a)(2) collective bargaining. All voted in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen).

At 6:46 PM the Town Council took a brief recess reconvening at 7:00 PM to continue the agenda items posted.

Robert L. Mushen, Clerk Pro-tem

Minutes of a Town Council meeting held March 24th, AD 2011 at 7:00 o'clock PM in the Town Council Chambers, Town Hall, 40 Commons, Little Compton, RI. Members present: Charles N. Appleton, Jr., Fred M. Bodington, III; Paul J. Golembeske, Gary S. Mataronas and Robert L. Mushen. Also in attendance: Richard S. Humphrey, Town Solicitor and Tom Dunn, Business Manager

Salute to the Flag.

The Town Council President read the Twenty Fourth Amendment to the US Constitution, ratified January 23, 1964 as follows:

“Section 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay poll tax or other tax.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.”

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To approve, as written the March

15, 2011 Town Council meeting minutes.

As per Section 410 of the Home Rule Charter the first item on tonight's agenda is a Public Hearing, which was called to order at 7:03 PM regarding the following proposed amendment to the Town Code:

Sections within Chapter 16-2 that are proposed for amendment:

16-2 Rules and Regulations of the Fire Department.

16-2.3 Chief of the Department.

a. Duties of the Chief. The Fire Chief shall, subject to the approval of the Town Council, make rules and regulations concerning the operation of the Department and the conduct of all members thereof. He shall assign all subordinates to their respective posts, shifts, details, duties, and shall be responsible for their efficiency, discipline, and good conduct, and for the care and custody of all property used by the Department.

i. Reports. The Fire Chief shall make all reports to the Town Council as required by him and shall make special reports on any matter which requires his the Council's attention. He shall require his officers and firefighters to furnish him such reports and data as will enable him to be prepared at any time to inform the Town Council concerning the conduct or efficiency of any individual or group and

the condition of the building, apparatus, or equipment of the Department and of work accomplished.

j. Orders. The Fire Chief may issue such orders for the government of the Department as he may deem necessary.

k. Absence of Chief. During the times that the Chief of the Department shall be unavailable, the Chief shall designate an officer, normally the Captain, to act in his stead. He shall perform all duties of immediate concern that would normally be performed by the Chief. In the absence of or until the arrival of the Chief of the Department, the Acting Chief shall be in command and have control of all fires to which he responds. He shall discharge and perform such other duties as the Chief shall prescribe.

kl. Duties of the Captain. The Captain shall have the duties that are assigned to him by the Chief from time to time and shall work the hours as prescribed by the Chief of the Fire Department and the Town Council. The Captain shall also perform all other normal day to day duties as shall be required on a normal shift.

m. Duties of the Lieutenant. The Lieutenant shall have the duties that are assigned to him by the Chief or Captain. The Lieutenant(s) and any Acting Lieutenants shall also perform all other normal day to day duties as shall be required on a normal shift.

n. Duties of the Training Officer. There shall be a training officer of the department under the direction and control of the Fire Chief. He will have the responsibility of developing and instituting training programs for both paid and volunteer members of the Department. Any training program(s) will meet national standards and/or accepted

Fire Department practices. Training records shall be maintained by the Training Officer and copies of any and all records shall be given to the Chief on a monthly basis.

o. Duties of the Fire Prevention Officer. The Chief shall appoint the Fire Prevention Officer of the Department who shall have the general supervision of all types of fire prevention activities. The Fire Prevention Officer shall take whatever action necessary to have removed or alleviated any accumulation of rubbish or combustible material or other hazards. The Fire Prevention Officer shall cooperate with the Building Official in surveying plans for new construction with the intent of incorporating fire preventive construction, exit facilities, and other protection devices that come under this jurisdiction.

1. Absence of Chief. During the times that the Chief of the Department shall be unavailable, the Chief shall designate the Captain to act in his stead. He shall perform all duties of immediate concern that would normally be performed by the Chief. In the absence of or until the arrival of the Chief of the Department, the Captain shall be in command and have control of all fires to which he responds. He shall discharge and perform such other duties as the Chief shall prescribe.

2. The Captain shall be the training officer of the department under the direction and control of the Fire Chief. He will have the responsibility of developing and instituting training programs for both paid and volunteer members of the Department. Any training program(s) will meet national standards and/or accepted Fire Department practices. Training records shall be maintained by the

Captain and copies of any and all records shall be given to the Chief on a monthly basis.

3. The Captain shall also perform all other normal day to day duties as shall be required on a normal shift.

I. Reserved.

m. Fire Prevention. The Chief shall be the Fire Prevention Officer of the Department and shall have the general supervision of all types of fire prevention activities.

n. Removal of Combustibles. The Fire Prevention Officer shall take whatever action necessary to have removed or alleviated any accumulation of rubbish or combustible material or other hazards.

o. Cooperation with Building Inspector. The Fire Prevention Officer shall cooperate with the Building Official in surveying plans for new construction with the intent of incorporating fire preventive construction, exit facilities, and other protection devices that come under this jurisdiction.

p. Duties of the Lieutenant. The Lieutenant shall have the duties that are assigned to him by the Chief or Captain.

1. The Lieutenant(s) shall organize all fire and ambulance reports and compile information into the computer data base on a regular basis.

2. The Lieutenant(s) shall assist the Captain with training classes as needed.

3. The Lieutenant(s) shall assist with department administrative activities as assigned by the Chief.

4. The Lieutenant(s) shall also perform all other normal day to day

duties as shall be required on a normal shift.

(Ord. 9/20/90; Ord. 1/24/91, §2; Ord. 2/20/97; Ord. 4/23/97)

16-2.4 General Duties.

m. Drivers. Only authorized personnel shall be allowed to operate any Town-owned vehicle or equipment. Said personnel shall be required to possess a valid Rhode Island operator's license.

16-2.5 General Rules.

e. Chain of Command. There shall be a "chain of command" within the department as follows:

Town Council

Chief

Captain

Lieutenant

Firefighter

In the case of equal rank, length of service within said rank, shall determine the senior officer.

This "chain of command" shall pertain to all decisions as well as to the solving of any problems or grievances that may arise.

k. Defects in Equipment. In the interest of the Department, all members are required to keep their superior officers informed of all matters that should be brought to their attention concerning troubles or defects in the Department's equipment or information pertaining to

outside conditions that might effectaffect the running of the Department.

u. Changing Tour of Duty And/Or and/or Leaving Station. No member of the Department shall trade or exchange his designated tour of duty except by permission of the Chief. No member of the Department shall leave the station while on duty except for fire or emergency duty or unless directed or given permission to do so by the Chief or senior officer on duty.

x. Firearms of any type are forbidden in the fire station or on the immediate surrounding premises unless on the person of a Town, State or Federal law enforcement official. Furthermore, no full time or volunteer firefighter or any other person shall violate any Town ordinance or State law while in or on the above mentioned premises. Its hallIt shall be the responsibility of the firefighter on duty to report any suspected violations of the above to the chief immediately.

16-2.6 Miscellaneous Provisions.

c. Job Description. Any full time employee of the Little Compton Fire Department shall be required to be:

1. Firefighter/Dispatcher - to be familiar with and know how to use all pieces of fire fighting equipment; to be familiar with and know how to use all dispatching equipment; to know the location of all roads in Town and be familiar with the house numbering system; all firefighters shall hold a valid Rhode Island driver's license.

16-2.7 Fire Department Entrance Requirements.

a. Candidates for the Position of Firefighter/Emergency Medical Technician/Dispatcher, Will Be Required to Meet the Following Minimum Standards:

- 1. The candidate shall be at least eighteen (18) years of age,; proof of age will be required.**
- 2. The candidate shall be of good character.**
- 3. The candidate shall have a valid Rhode Island driver's license.**
- 4. The candidate shall have a high school diploma or a state recognized equivalent.**

b. Candidates Whose Names Are Placed on an Eligibility List as a Result of the Above Requirements Will Be Required to Meet the Following Additional Standards:

- 1. Having successfully completed a course of study to meet the eligibility standards of the Rhode Island Health Department, the candidate must submit to an examination for licensure as an Emergency Medical Technician-Ambulance before completion of probationary employment.**
- 2. The candidate shall be found psychologically fit for duty as a Firefighter/Emergency Medical Technician/Dispatcher.**
- 3. Any candidate who has had a weight loss or gain of ten (10) pounds or more subsequent to placement on the eligibility list will be required to resubmit to a test of their physical fitness.**

c. Upon Acceptance into the Fire Department as Probationary

Employee, Candidates Will Be Required to Contract with the Town of Little Compton to:

- 1. Maintain a valid Rhode Island driver's license.**

Councilor Mushen opened the Public hearing for comments. Receiving no public comments the hearing was closed by the following vote:

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To close a public hearing on the proposal to amend Chapter 16 of the Little Compton Town Code.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To amend Chapter 16 of the Little Compton Town Code as follows:

16-2 Rules and Regulations of the Fire Department.

16-2.1 Preface.

All members of the Fire Department are hereby directed to make themselves thoroughly acquainted with the Rules and Regulations of the Fire Department and all general and special orders. These Rules and Regulations are intended for the general guidance of the entire Fire Department and cannot be expected to cover every specific act of duty. Ignorance of the Rules and Regulations will not be

considered as an excuse for non-compliance; it is the duty of all members to thoroughly familiarize themselves with the rules of the service, and whoever neglects to do so thereby neglects his duty.

In addition to their duties as hereinafter set forth, members of the Department shall perform such other duties as may be required of them by their superior officers.

16-2.2 Administration.

a. Organization. The organization of the Fire Department is set according to the following: a Department consisting of Chief, Captain, two (2) Lieutenants, and any full-time or part-time firefighters as may be appointed by the Town Council.

b. Duties. The principal duties of the full time and part-time members of the Fire Department shall consist generally of the prevention, control, and extinguishing of fires, together with all necessary service functions as are presently conducted by the Fire Department (Job Description, subsection 16-2.6c) and as set forth in the Rules and Regulations of the Fire Department.

(Ord. 9/20/90; Ord. 1/24/91, §1)

16-2.3 Chief of the Department.

a. Duties of the Chief. The Fire Chief shall, subject to the approval of the Town Council, make rules and regulations concerning the operation of the Department and the conduct of all members thereof. He shall assign all subordinates to their respective posts, shifts, details, duties, and shall be responsible for their efficiency, discipline, and good conduct, and for the care and custody of all property used by the Department.

b. Management at Fires. The Fire Chief shall perform such duties as may be required by law and ordinance and shall have control and management of the Department at fires and all other emergencies and shall have the power to direct and assign all subordinates, companies, and appurtenances belonging to the Department and shall direct such measures as he shall deem proper and necessary for the control and extinguishment of fires. In the absence of, or until the arrival of the Chief, the highest ranking officer or, in the absence of an officer, the senior full time firefighter in attendance shall be in command and have control over all operations at all fires and emergencies to which the department responds.

c. Maintenance of equipment. The Fire Chief shall, by personal inspection or through assignment to an officer or another full time firefighter, satisfy himself that all apparatus and equipment in the Department is maintained in good condition and available for instant use. When it is necessary to place equipment or apparatus out-of-service for repairs, he shall have the authority to transfer any equipment or apparatus that he may have at his command.

d. Maintenance of Buildings. The Fire Chief shall, by personal inspection or through assignment to an officer or another full time firefighter, satisfy himself that the fire station is kept clean and in good repair and that all furnishings therein are well maintained.

e. Dispatching Apparatus. The Fire Chief shall have the authority to dispatch apparatus out of the Town whenever he deems it necessary provided the security of the Town is not jeopardized. The Town Council President is to be notified of such action.

f. Inspections. The Fire Chief shall frequently inspect the station and records required by him and, when necessary, give instructions for keeping such records and the proper making of reports.

g. Inspection of Public Buildings. The Chief and/or the Fire Prevention Officer shall make complete inspection coverage of all public buildings and shall encourage public acceptance of residential inspections on a volunteer basis. He shall make all efforts to further safety facilities in public buildings, manufacturing plants, business occupancies, hospitals, and convalescent homes.

h. Fires of Suspicious Origin. The Chief and the Fire Prevention Officer shall investigate all building fires and any other fires of suspicious origin to determine probable cause, and in any cases of criminal intent, work with the Police Department and the State Fire Marshal's Office to bring the offenders to justice.

i. Reports. The Fire Chief shall make all reports to the Town Council as required by him and shall make special reports on any matter which requires his the Council's attention. He shall require his officers and firefighters to furnish him such reports and data as will enable him to be prepared at any time to inform the Town Council concerning the conduct or efficiency of any individual or group and the condition of the building, apparatus, or equipment of the Department and of work accomplished.

Orders. The Fire Chief may issue such orders for the government of the Department as he may deem necessary.

Absence of Chief. During the times that the Chief of the Department shall be unavailable, the Chief shall designate an officer, normally the

Captain, to act in his stead. He shall perform all duties of immediate concern that would normally be performed by the Chief. In the absence of or until the arrival of the Chief of the Department, the Acting Chief shall be in command and have control of all fires to which he responds. He shall discharge and perform such other duties as the Chief shall prescribe.

kl. Duties of the Captain. The Captain shall have the duties that are assigned to him by the Chief from time to time and shall work the hours as prescribed by the Chief of the Fire Department and the Town Council. The Captain shall also perform all other normal day to day duties as shall be required on a normal shift.

m. Duties of the Lieutenant. The Lieutenant shall have the duties that are assigned to him by the Chief or Captain. The Lieutenant(s) and any Acting Lieutenants shall also perform all other normal day to day duties as shall be required on a normal shift.

n. Duties of the Training Officer. There shall be a training officer of the department under the direction and control of the Fire Chief. He will have the responsibility of developing and instituting training programs for both paid and volunteer members of the Department. Any training program(s) will meet national standards and/or accepted Fire Department practices. Training records shall be maintained by the Training Officer and copies of any and all records shall be given to the Chief on a monthly basis.

o. Duties of the Fire Prevention Officer. The Chief shall appoint the Fire Prevention Officer of the Department who shall have the general supervision of all types of fire prevention activities. The Fire

Prevention Officer shall take whatever action necessary to have removed or alleviated any accumulation of rubbish or combustible material or other hazards. The Fire Prevention Officer shall cooperate with the Building Official in surveying plans for new construction with the intent of incorporating fire preventive construction, exit facilities, and other protection devices that come under this jurisdiction.

1. Absence of Chief. During the times that the Chief of the Department shall be unavailable, the Chief shall designate the Captain to act in his stead. He shall perform all duties of immediate concern that would normally be performed by the Chief. In the absence of or until the arrival of the Chief of the Department, the Captain shall be in command and have control of all fires to which he responds. He shall discharge and perform such other duties as the Chief shall prescribe.

2. The Captain shall be the training officer of the department under the direction and control of the Fire Chief. He will have the responsibility of developing and instituting training programs for both paid and volunteer members of the Department. Any training program(s) will meet national standards and/or accepted Fire Department practices. Training records shall be maintained by the Captain and copies of any and all records shall be given to the Chief on a monthly basis.

3. The Captain shall also perform all other normal day to day duties as shall be required on a normal shift.

l. Reserved.

m. Fire Prevention. The Chief shall be the Fire Prevention Officer of

the Department and shall have the general supervision of all types of fire prevention activities.

n. Removal of Combustibles. The Fire Prevention Officer shall take whatever action necessary to have removed or alleviated any accumulation of rubbish or combustible material or other hazards.

o. Cooperation with Building Inspector. The Fire Prevention Officer shall cooperate with the Building Official in surveying plans for new construction with the intent of incorporating fire preventive construction, exit facilities, and other protection devices that come under this jurisdiction.

p. Duties of the Lieutenant. The Lieutenant shall have the duties that are assigned to him by the Chief or Captain.

1. The Lieutenant(s) shall organize all fire and ambulance reports and compile information into the computer data base on a regular basis.

2. The Lieutenant(s) shall assist the Captain with training classes as needed.

3. The Lieutenant(s) shall assist with department administrative activities as assigned by the Chief.

4. The Lieutenant(s) shall also perform all other normal day to day duties as shall be required on a normal shift.

(Ord. 9/20/90; Ord. 1/24/91, §2; Ord. 2/20/97; Ord. 4/23/97)

16-2.4 General Duties.

a. Station Duties. Officers or firefighters on duty shall be in direct charge of and be responsible for the care, cleanliness and preservation of the station, apparatus, and all other equipment and

material assigned to the station, and shall keep grounds around the station neat and clean, the grass mowed, and sidewalks adjacent to the station clear of snow and ice or other encumbrances. Also, they may be assigned other duties at the direction of the Chief of the Department.

b. **Undesirable Visitors.** Officers or firefighters shall not allow intoxicated or undesirable persons in or about their station nor allow the use of the station for any purposes except by permission of the Chief of the Department.

c. **Gasoline Storage.** Each officer or firefighter shall see that no gasoline is used in or about the station for cleaning purposes nor shall any smoking be allowed, or naked flame be made, while or where gasoline is being pumped or handled.

d. **Property and Equipment.** Each officer or firefighter shall not allow any addition to, alteration of, or destruction of any part of the station, apparatus, or equipment except when properly ordered or authorized by the Chief of the Department.

e. **Injury Report.** Each officer or firefighter shall make a written report to the Chief when any member of their command is injured or taken seriously ill stating details of such injury or illness.

f. **Accident Reports.** Each officer or firefighter shall make an immediate report, in person or by telephone, to the Chief of all accidents, collisions, or other occurrences resulting in the loss of life, injury to persons, or damage to property, however slight, and all other extraordinary or unusual occurrences of any nature when happening to members or property of the Department, or to persons

or property of others, in connection with the operations of the Department and shall, as soon as circumstances and time permit, forward to the Chief of the Department a complete report in writing of each such accident, collision or other occurrences. The Chief shall immediately notify the President of the Town Council.

g. Daily Report Sheets. Each officer or senior duty man will be responsible for keeping record of all fires to which he responds as well as a record of all radio and telephone messages received in the station.

h. Requisitions. Each officer or firefighter shall make proper requisitions to the Chief of the Department for all necessary supplies, needed appliances, tools, and furnishings.

i. Use of Utilities. Each officer or firefighter shall prevent waste or unnecessary use of water, gas, electricity, or fuel allowing sufficient usage for comfort, being careful to turn off all lights not required.

j. Visitors to Station. Each officer or firefighter shall politely escort visitors or see that they are escorted through the station and see that a courteous explanation concerning the apparatus and equipment is made to them.

k. Repairs to Apparatus. Each officer or senior duty man shall report to the Chief whenever apparatus is placed out of service for repairs and also when repairs are completed and apparatus is ready for service, entering upon the Daily Report Sheet the time it was placed out-of-service, the nature of repairs, the time it was placed in service, and their initials.

l. Condition of Apparatus. Each officer or firefighter shall see that

all vehicles and equipment in the station, whether or not in service, including motor and pump, is kept clean, polished and is in condition and ready for immediate use. In case a vehicle or any equipment is, at any time, in need of repairs, they shall, at once, report the same to the Chief.

m. Drivers. Only authorized personnel shall be allowed to operate any Town-owned vehicle or equipment. Said personnel shall be required to possess a valid Rhode Island operator's license.

n. Obstruction to Driveway. No person, whether or not a member of the Fire Department, shall park his automobile in the driveway in front of any door where it will obstruct the responding of fire apparatus or rescue vehicles to a fire or other emergency duties.

(Ord. 1/10/85; Ord. 9/20/90)

16-2.5 General Rules.

a. Fire Service. All members of the Fire Department should bear in mind that they have been employed and sworn to render fire service and other related duties to the Town, which service the Town has a legal and moral right to demand at whatever time and occasion it becomes necessary.

b. Sick Leave. Whenever a member of the Fire Department shall be on sick leave, he shall be confined to his residence, going to, at, or returning from a doctor's office or at a place that is known to the Chief. The Chief may request a doctor's certificate of illness after five (5) consecutive sick leave days.

c. Annual Leave. In order for consideration to be given for any annual leave request it is required that the request be submitted at

least two (2) weeks prior to the dates being requested. All requests must be in writing and signed by the member requesting annual leave. Only one (1) member will be allowed on annual leave at a time. In the case of conflicting dates seniority will dictate so long as the request has been made within the proper time.

d. **Orders.** Any order given by a superior officer must be carried out as ordered. After the order has been carried out, if it appears to have been improper or unreasonable, an appeal may be made to the proper authorities. However, any refusal or evasion of such order shall constitute a breach of the Rules and Regulations and will be dealt with as such.

e. **Chain of Command.** There shall be a "chain of command" within the department as follows:

Town Council

Chief

Captain

Lieutenant

Firefighter

In the case of equal rank, length of service within said rank, shall determine the senior officer.

This "chain of command" shall pertain to all decisions as well as to the solving of any problems or grievances that may arise.

f. **Off-Duty Personnel.** All members of the department shall maintain a telephone and shall keep the Chief informed as to the correct number and address of such member.

g. **Use of Title.** No member of the Department shall use the

Department, his title, or uniform for any purpose not approved by the Chief of the Department.

h. Smoking. No member of the Department shall smoke while driving a fire apparatus. No member of the Department shall smoke while driving or riding in the rescue truck while responding to a call or while transporting a patient.

i. Sleeping Quarters. All members of the Department when in the station shall rise not later than 7:00 a.m. and beds shall not be used between 7:00 a.m. and 10:00 p.m. except in case of illness, injury, or with permission of the Chief. No visitors shall be allowed in sleeping quarters.

j. Hydrants and Water Supply; Street Locations. All members of the Department must make themselves familiar with the location and operation of all hydrants and available water supplies in the Town. Members of the Department must memorize the names and location of all streets in the Town, and the location of schools, churches, and other public buildings.

k. Defects in Equipment. In the interest of the Department, all members are required to keep their superior officers informed of all matters that should be brought to their attention concerning troubles or defects in the Department's equipment or information pertaining to outside conditions that might effectaffect the running of the Department.

l. Conduct of Personnel. All members are required to observe a courteous and respectful demeanor in dealing with officers and men. Officers shall be addressed by their proper titles. Religion or politics

shall not become a matter for argument in or about the fire station.

m. **Attitude.** Criticisms of superior officers, discourtesies to the public or members, unjust treatment of officers or members, and movements tending to create dissensions or appearing to ignore responsible officials will be considered breaches of discipline and shall be dealt with accordingly.

n. **Improper Language.** Members shall not use profane, immoral, or improper language in or about the fire station nor shall they be guilty at any time of conduct prejudicial to the good reputation of the Department. Intoxicating liquors shall not be brought, kept, or drunk in or about the fire station.

o. **Gambling.** Gambling or games of chance shall not be allowed in the station.

p. **Care of Property.** Members of the Department will be held responsible for the safe-keeping, proper use, and return of all Department property entrusted to their care. They shall not loan it to any person either in or out of the Department or use it for anything but its legitimate purpose in the Department except by order of the Chief of the Department.

q. **Station Duties.** Members shall see that beds are made, dishes washed, and all Department premises are kept clean at all times. Any member finding anything broken in the station shall report the same to the Chief.

r. **Sleeping on Apparatus.** Members shall not lay or sleep on any apparatus or in any automobile used by the Fire Department while it is in the station.

s. Off Station Duty. Members of the Department who are off station duty shall not interfere with members who are on station duty or other Fire Department duty.

t. Care of Equipment. Drivers of apparatus under the direction of their superior officer shall be responsible for the care and management of the apparatus. They shall at all times use proper caution for safety. Motor apparatus or other vehicles of the Department shall not be operated at a speed that will endanger the lives of the public or members of the Department or cause injury to property or equipment. No apparatus shall be driven over any hose unless it cannot be avoided.

u. Changing Tour of Duty And/Or and/or Leaving Station. No member of the Department shall trade or exchange his designated tour of duty except by permission of the Chief. No member of the Department shall leave the station while on duty except for fire or emergency duty or unless directed or given permission to do so by the Chief or senior officer on duty.

v. Protective Clothing. All members of the Department shall make use of and wear protective clothing when responding to alarms of fire and shall take all efforts to protect themselves from injury or exposure by its use.

w. Surrender of Property. Upon any member of the Department resigning, being discharged, or in any other manner vacating his position, he shall, prior to the final settlement of his accounts, surrender all property in his possession belonging to the Fire Department to the Chief.

x. Firearms of any type are forbidden in the fire station or on the immediate surrounding premises unless on the person of a Town, State or Federal law enforcement official. Furthermore, no full time or volunteer firefighter or any other person shall violate any Town ordinance or State law while in or on the above mentioned premises. It shall be the responsibility of the firefighter on duty to report any suspected violations of the above to the chief immediately.

y. Routine Administration. Routine administration of the Department shall be directed by various general orders as issued by the Chief of the Department as the need arises.

z. Violation of Rules and Regulations. A strict observance of all rules, regulations, and orders is insisted upon, and failure on the part of any member to promptly report violations of the Rules and Regulations to the Chief of the Fire Department or the superior officer, or to fully comply with all Rules and Regulations shall be considered neglect of duty and cause for suspension. Charges against a member for the violation of Rules and Regulations of the Fire Department shall be made in writing to the Chief of the Fire Department, who will, in turn, forward said charges to the Town Council.

(Ord. 12/20/84; Ord. 1/10/85; Ord. 3/5/87; Ord. 2/9/89; Ord. 9/20/90; Ord. 1/24/91, §3)

16-2.6 Miscellaneous Provisions.

a. Partial Invalidity. If any subsection or part of these Rules and Regulations shall be held invalid by a Court of competent jurisdiction, such holding shall not affect the remainder of these Rules and

Regulations nor the context in which such subsection so held invalid may appear except to the extent that an entire article or part of an article may be inseparably connected in meaning and effect with the article or part of an article to which such holdings shall directly apply.

b. Residence. No member of the Fire Department shall be permitted to claim any fire station as his place of residence.

c. Job Description. Any full time employee of the Little Compton Fire Department shall be required to be:

1. Firefighter/Dispatcher - to be familiar with and know how to use all pieces of fire fighting equipment; to be familiar with and know how to use all dispatching equipment; to know the location of all roads in Town and be familiar with the house numbering system; all firefighters shall hold a valid Rhode Island driver's license.

2. A Certified EMT - to be familiar with and know how to use all pieces of emergency life saving equipment, to take all courses and pass all requirements in order to keep EMT certification current.

3. In addition any full-time Fire Department employee shall be required to perform other duties upon order of the Fire Chief that from time to time the Chief may deem necessary for the orderly and efficient operation of the Fire Department and the overall good of the Town.

(Ord. 1/10/85; Ord. 7/9/87; § 1; Ord. 9/20/90)

16-2.7 Fire Department Entrance Requirements.

a. Candidates for the Position of Firefighter/Emergency Medical Technician/Dispatcher, Will Be Required to Meet the Following Minimum Standards:

1. The candidate shall be at least eighteen (18) years of age,; proof of age will be required.

2. The candidate shall be of good character.

3. The candidate shall have a valid Rhode Island driver's license.

4. The candidate shall have a high school diploma or a state recognized equivalent.

5. The candidate shall receive a passing grade on a written examination administered by the Little Compton Town Council or its designee. This examination will measure the general aptitude of the candidate.

6. The candidate shall pass the medical and physical fitness requirements of the Town of Little Compton.

7. Candidates will be graded and ranked according to their abilities in the written examination, the physical fitness test, and an oral interview.

b. Candidates Whose Names Are Placed on an Eligibility List as a Result of the Above Requirements Will Be Required to Meet the Following Additional Standards:

1. Having successfully completed a course of study to meet the eligibility standards of the Rhode Island Health Department, the candidate must submit to an examination for licensure as an Emergency Medical Technician-Ambulance before completion of probationary employment.

2. The candidate shall be found psychologically fit for duty as a Firefighter/Emergency Medical Technician/Dispatcher.

3. Any candidate who has had a weight loss or gain of ten (10)

pounds or more subsequent to placement on the eligibility list will be required to resubmit to a test of their physical fitness.

c. Upon Acceptance into the Fire Department as Probationary Employee, Candidates Will Be Required to Contract with the Town of Little Compton to:

- 1. Maintain a valid Rhode Island driver's license.**
- 2. Maintain their physical fitness in accordance with the minimum entrance requirements.**
- 3. Attain and maintain Rhode Island Certification as an Emergency Medical Technician at the skill level selected by the Town of Little Compton as appropriate to the needs of the community.**
- 4. Attend any Dispatcher, EMT, and Firefighter school and/or training as required by the Town.**

(Ord. 3/5/87; Ord. 7/9/87; Ord. 7/20/89)

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the Police Department Head Reports for January & February 2011.

A memo has been received from the Business Manager updating the council on various budget articles where the Budget Committee wishes to see the amount reduced. The following four (4) votes are based on a Budget Committee recommendation.

Motion made by Councilor Golembeske, receiving a second by

Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To reduce the budget submitted for Capital Improvements from \$30,000 to \$15,000 as recommended by the Budget Committee and to resubmit to the Town Clerk for inclusion on the May 17, 2011 warrant.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mushen) Councilor Mataronas opposed: To reduce the budget submitted for Mechanical, Plumbing and Electrical Inspectors from \$15,000 to \$11,000 as recommended by the Budget Committee and to resubmit to the Town Clerk for inclusion on the May 17, 2011 warrant.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To reduce the budget submitted for Advisory Boards from \$18,470 to \$13,470 as recommended by the Budget Committee and to resubmit to the Town Clerk for inclusion on the May 17, 2011 warrant with the estimated distribution to be as follows:

Planning Board	\$ 1,000.00
Conservation Commission	500.00
Zoning Board of Review	3,000.00
LC Housing Trust	1,470.00

Rec.,Cons.,Open Space 7,500.00

\$ 13,470.00

Motion made by Councilor Bodington, receiving a second by Councilor Appleton, voting in favor (Appleton, Bodington, Golembeske, Mushen) Councilor Mataronas opposed: Not to reduce a budget previously submitted to the Town Clerk for inclusion on the May 17, 2011 warrant for Highway expenses leaving the amount requested to \$120,000.

The following vote is an amendment proposed by the Town Council as a result of updates received from RI Blue Cross Blue shield and Delta Dental of Rhode Island on their respective proposed rates for fy2012.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To amend the following budgets due to confirmed data from RI Blue Cross/Blue Shield and Delta Dental of Rhode Island and to resubmit said budgets to the Town Clerk for inclusion on the May 17, 2011 warrant:

To see if the Town will appropriate the sum of Forty Thousand, One Hundred Twenty Seven (\$40,127.00) Dollars or so much thereof as may be necessary to pay salary and benefits for disabled fire fighter Leonard Corrao for the ensuing year as follows:

Salary \$ 18,915.00
Health Benefits 21,212.00
\$ 40,127.00

To see if the Town will appropriate the sum of Six Hundred Ninety Three Thousand, Five Hundred Sixty Five (\$693,565.00) Dollars, or so much thereof as may be necessary, to pay Health Insurance Benefits for Town employees, both active and retired.

HEALTH BENEFITS

Active Employees \$ 582,819.00
Retired Employees 110,746.00
\$ 693,565.00

Councilor Mushen gave his perspective on the proposal before the Council concerning the need to approve the submittal of the Stage II application to the Board of Regents for consideration of the School Building Project. He expressed the fact that he and many others still have questions unanswered. He stated that he is not in favor of this “specific” proposal feeling that some decisions and choices still need to be made that will impact the cost and final product. As a result he made a proposal that he believes will allow the project to be submitted to the RI Board of Regents, but does not “set” at date for a special Financial Town Meeting until certain contingencies are answered. Having received a second discussion ensued. The full

motion and vote is found at the end of the discussion.

Councilor Golembeske questioned if this motion would that a Financial Town meeting would not be scheduled until the five contingencies were met? He was told that was the intent of the motion, but believed to be sufficient to send on to the Board of Regents.

Councilor Mushen stated that a defeat of this project at this time would require the Council to have an alternative solution to correct the deficiencies at the school. He believes this motion will allow the resolution of questions and concerns into a more viable solution.

Councilor Appleton believes the electors need more information before they could vote on the proposal.

Senator DiPalma supplied a spreadsheet with a 22 year history of the RI Housing School Construction Aid reimbursement payments by city and town. In 22 years \$759,412,880 has been reimbursed. He continued by noting that in that 22 year span the State of Rhode Island has been in difficult economies and well as prosperous economies never defaulting on a reimbursement during that time. He stated that he does not have a crystal ball, but feels confident that the town could rely on history to continue.

Roy Bonner, Tax Payers Association, cautioned that a similar vote

was taken almost a year ago that sought more answers and feels we may still be in this position six (6) months from now not being any further ahead.

Mark Page commented that the design process is ongoing and will continue to evolve with changes as the project moves forward and further comments are received from RIDE.

Donald Gomez, Chairman School Committee stated that they appreciate the due diligence the Town Council has taken with this subject and does not feel that the contingencies are obstacles that can not be handled.

Motion made by Councilor Mushen, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mushen) Councilor Mataronas opposed: To adopt the following motion:

“The Town Council supports a school building project to correct the educational, safety, access and environmental deficiencies of Wilbur McMahan School.

The proposed project, as detailed in the revised Stage 2 application as of 24 March 2011, contains areas of concern which have not yet been satisfactorily addressed, but which are achievable prior to project authorization. By copy of this vote the School Committee is

requested to address each of these issues and work with the Town council to satisfy each concern:

1. The overall cost of the project as presented is considered excessive, when compared with cost estimates for correcting only the known physical plan deficiencies. A plan which offers a \$10M construction cost needs to be proposed.

2. The proposed modifications which are not critical to correcting educational, access or environmental deficiencies must be reviewed and modified (example: kitchen/cafeteria)

3. Review by a traffic engineer must be initiated now to resolve the feasibility of the southwest expansion of the building and its impact on the site

4. The site work estimate (\$1.3M) should be reviewed in detail with a goal of eliminating any avoidable cost or increase in footprint. The DEM passive recreation grant already awarded to the Town is available as an alternative source of funding.

5. The requested project bond estimate should be immediately decreased by the amount of unrestricted reserve funds under the control of the school district (currently in excess of \$1M)

Upon satisfactory accomplishment of these actions the Town Council expects to schedule the project for a vote by the electors of the town.”

Richard S. Humphrey, Town Solicitor left the Council Chambers at

7:54 PM.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adopt the following statement:

“This statement is provided in conjunction with submittal of school renovation plans to the Rhode Island Department of Education (RIDE) in conformance with RIDE requirements.

The Town-owned grounds surrounding the school building, as delineated in the attached site plan, are considered by the Town Council to be under the care and control of the School committee during those hours that school is in session and this delegation to the School Committee is revocable by the Town Council. This delegation includes any after-hours events properly scheduled by the School Department.

At all other times, and in the event of a conflict, the surrounding grounds revert to the purview of the Town Council.

This policy is consistent with many years of past practices of the Town (through the Town Council) and the School Department.”

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington,

Golembeske, Mataronas, Mushen): To advertise to receive applications for seasonal part time laborers for the Maintenance Department.

Motion made by Councilor Bodington, receiving a second by Councilor Appleton, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To remove Public Safety Dispatcher Jason DaSilva from probationary status retroactive to his completion of his six month probationary period of March 9, 2011.

A motion was made by Councilor Appleton, receiving a second by Councilor Mataronas, voting in opposition (Bodington, Golembeske, Mushen) voting in favor (Appleton, Mataronas) Motion failed: To allow the Narragansett Bay Wheelmen to use Adamsville Field for a rest stop on September 11, 2011 contingent upon the receipt of a \$100 use fee, the retention of a Police Detail, and the filing of the Town's Indemnification Form.

A brief discussion occurred where the desire to charge for the use of Town property was considered. The Clerk clarified that a charge had been levied against one entity that used Veteran's Field in 2009, but that same group requested to use the field just recently and was granted permission without the levying of a use fee. No other use fee has been levied.

Motion made by Councilor Bodington, receiving a second by

Councilor Golembeske, voting in favor (Bodington, Golembeske, Mushen) voting in opposition (Appleton, Mataronas): To allow the Narragansett Bay Wheelmen to use Adamsville Field for a rest stop on September 11, 2011 contingent upon the retention of a Police Detail and the filing of the Town's Indemnification Form.

Councilors Appleton and Bodington are to develop a proposal for a new ordinance to set fees for the use of Town property and bring that proposal to the next Town Council meeting for further discussion.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the Town Council President to complete and submit the 2010 Transfer Station Annual Report to RI Dept. of Environmental Management on or before April 15, 2011.

Motion made by Councilor Mushen, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To allow Councilor Golembeske to review and comment on behalf of the Council as needed on an application for zoning variances submitted to the Zoning Board of Review by Randi von Steinwehr for property which is within 200 feet of Wilbour Woods.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington,

Golembeske, Mataronas, Mushen): To adopt the following resolution:

FAIR HOUSING RESOLUTION

RESOLVED: That it be known to all persons of the Town of Little Compton that discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provisions of brokerage services because of race, color, religion or national origin is prohibited by Title VIII of the 1968 Civil Rights Act (Federal Fair Housing Laws). It is the policy of the Town of Little Compton to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex or national origin, and be it further

RESOLVED: That within available resources the Town of Little Compton will assist all persons who feel they have been discriminated against because of race, color, religion, sex, or national origin to seek equity under federal and state laws by filing a complaint with the Rhode Island Civil Commission Regional Office Compliance Division, and be it further

RESOLVED: That the Town of Little Compton shall publicize this Resolution and through this publicity shall cause owners of real estate, developers and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law and any applicable state or local laws or ordinances, and be it further

RESOLVED: That said program will at a minimum include, but not be limited to:

(1) the publicizing of this policy and other applicable fair housing information.

(2) distribution of posters, flyers and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing, and

(3) information for this program shall be provided by; the Community Housing Resource Board/Housing Hot Line.

By order of the Town Council the month of April in the year 2011 is hereby proclaimed as Fair Housing Month in the Town of Little Compton, Rhode Island.

Robert L. Mushen

President, Town Council

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the Project Priority List Request for Projects State Fiscal Year 2012 as the Town does not presently have an eligible project.

Motion made by Councilor Mataronas, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file a Notice received from RI Dept. of Environmental Management, Office of Water Resources/Water Quality Certification Program regarding an application before said Office of David Cutts, Quaker Hill Farm.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the consent calendar as follows:

1. Letter from the Police Chief advising the council of the assignment of Acting Chief to Lt. Marion during his absence.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): That the bills be allowed and ordered paid as follows: \$15,750.24

A T & T - Transfer Station \$33.39

ACS - RI Hist. Records Fund \$1,299.00

Susan Sisson - Dir. Of Social Services \$1,250.00

Salva & Sons - Maintenance \$5.40

KTR Maintenance & Supply LLC - Town Hall \$45.32

Paychex Inc. - Treasurer \$296.50

Maryjane Harrington - Treasurer \$14.28

Robert Cavanagh Jr. - Highway \$531.00

Everlasting Designs - computer \$150.00

Poland Spring - Town Hall \$51.39

Poland Spring - Maintenance \$4.42

Markey & Asplund Inc. - Town Clerk, doc. Preservation \$568.00

Petro - diesel \$1,400.34

Cox Communications - 32 Commons \$27.79

Sonitrol - Town Hall \$130.00

Carol A Wordell - Town Clerk \$56.00

Home Depot - Fire Dept. - Maintenance Dept. \$56.42

Pauls Press - Budget Committee \$179.00

Christopher Oliveira - Highway \$368.00

Rhode Island Attorney General - Drug Forfeiture \$30.00

Vic's Car Wash - Drug Forfeiture \$9.50

Verizon Wireless - Drug Forfeiture \$366.89

DiamondBack Tactical - Drug Forfeiture \$4,569.07

Community College of RI - Drug Forfeiture \$819.01

Pitney Bowes - Drug Forfeiture \$79.00 \$5,873.47

K.T.R. Maintenance - Police Dept. \$196.39

Sakonnet Veterinary Hospital - Police Dept. \$390.00

Belmont Springs - Police Dept. \$17.79

Cox Communication/Telephone - Police Dept. \$181.48 \$785.66

Petro - gasoline \$2,624.86

The executive session originally scheduled for this time has been cancelled.

Motion made by Councilor Mataronas, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adjourn at 8:07 PM.

Town Clerk