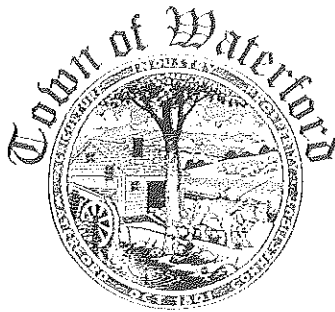


FIFTEEN ROPE FERRY ROAD
WATERFORD, CT 06385-2886



PHONE: 860-442-0553
www.waterfordct.org

MINUTES *Amended
PUBLIC PROTECTION & SAFETY STANDING COMMITTEE OF THE RTM
Special Meeting
Thursday May 21, 2020
6:00 P.M. - Waterford Town Hall
Zoom Remote Access Only

The May 21, 2020 special meeting of the Public Protection & Safety Standing Committee of the RTM was called to order by Chairperson Timothy Condon at 6:00 P.M.

ROLL CALL

PRESENT: April Cairns, Timothy Condon, Susan Driscoll, Baird Welch-Collins.

ABSENT: Richard Muckle

ALSO PRESENT: Town Attorney Robert Avena, First Selectman Robert Brule, Town Clerk David L. Campo, Labor Attorney Eileen Duggan, Director of Fire Services Bruce Miller, Human Resources Director Joyce Sauchuk.

AGENDA ITEM 3: April 30, 2020 Minutes

MOTION by Driscoll, seconded by Welch-Collins, to approve the minutes from the April 30, 2020 meeting.

VOTING IN FAVOR: Unanimous

AGENDA ITEM 4: Review/Enactment of a Stipend Program for Volunteer Firefighters (RTC 10/07/2019)

UPDATE was provided by Labor Attorney Eileen Duggan, Director of Human Resources Joyce Sauchuk, Director of Fire Services Bruce Miller, Town Attorney Robert Avena.

Section by section of the draft document (See Attachment) for an adoption of a new town ordinance, Chapter 2.36.80-VOLUNTEER FIREFIGHTERS INCENTIVE PROGRAM was reviewed and questions and suggestions were noted. A full recording of the meeting is available from the Waterford Town Clerk.

Committee agreed to meet again for a Special Meeting in June, but a specific date was not agreed upon.

MOTION by Muckle, seconded by Driscoll, to adjourn at 8:11 P.M.

VOTING IN FAVOR: Unanimous

*Attachment added

TOWN OF WATERFORD

NOTICE OF ADOPTION OF ORDINANCE

Notice is hereby given that the Representative Town Meeting of the Town of Waterford, at a regular meeting held _____, 2020 adopted the following Ordinance:
ORDINANCE NO. 2.36.080:

ORDINANCE NO. 2.36.080 TO ESTABLISH A VOLUNTEER FIREFIGHTER INCENTIVE PROGRAM

THE TOWN OF WATERFORD HEREBY ORDAINS:

WHEREAS, the Town of Waterford Fire Department is comprised of paid and volunteer members; and

WHEREAS, volunteer firefighters selflessly provide their personal services and time to train and maintain their preparation to provide competent and prompt firefighting services within the Town of Waterford; and

WHEREAS, volunteer firefighters expend substantial amounts of personal time, resources, and funds to maintain their individual qualifications; and

WHEREAS, volunteer firefighters receive no compensation for the time, resources and funds they expend in providing volunteer services and in maintaining the proper level of qualifications; and

WHEREAS, the federal Fair Labor Standards Act of 1938 as amended, 29 U.S.C. § 201 et seq., permits payments for reimbursement of expenses, reasonable benefits, and nominal fees to volunteers without impairing their status as volunteers; and

WHEREAS, the Town of Waterford Representative Town Meeting pursuant to § 7-148(c)(4) of the Connecticut General Statutes desires to enact an ordinance to organize, maintain and regulate the persons providing fire protection and to provide benefits by way of an annual stipend to qualifying Town of Waterford Volunteer Firefighters and Volunteer Fire Police Officers in recognition of their loyal and dedicated service;

NOW, THEREFORE, BE IT ORDAINED by the Representative Town Meeting of the Town of Waterford that:

RECEIVED
TOWN OF WATERFORD
2020 MAY 18 PM 4:45
TOWN CLERK

Title 2 – ADMINISTRATION AND PERSONNEL

Chapter 2.36 – FIRE SERVICE

2.36.080 – Volunteer Firefighters Incentive Program ~~VOLUNTEER FIREFIGHTERS INCENTIVE PROGRAM~~

A. Purpose

Pursuant to § 7-148(c)(4)(B) of the Connecticut General Statutes, the Town of Waterford may enact an ordinance to organize, maintain and regulate the persons providing fire protection. This Incentive Program is designed to provide monetary compensation to active, volunteer firefighters and fire police officers in the Town of Waterford Fire Department, in an effort to ~~provide assistance to cover the firefighter's~~ assist in covering volunteers' expenses during the execution of their duties, while complying with the federal Fair Labor Standards Act of 1938 as amended, 29 U.S.C. §201 et seq., which permits payments for reimbursement of expenses, reasonable benefits and nominal fees to volunteers without impairing their status as volunteers. This program is in addition to the existing property tax abatement program for volunteer firefighters in Title 3, Chapter 3.12 of this Code of Ordinances ~~Ordinance 3-12-160~~. Town of Waterford Fire Department personnel employed by the Town of Waterford are not eligible for this Incentive Program.

B. Definitions

1. **Program:**
The term "Program" means the Volunteer Firefighter Incentive Program.
2. **Program Year:**
Program Year is the fiscal year, i.e., July 1-June 30.
3. **Effective Date:**
The Effective Date of the Program is July 1, 2020.
4. **Volunteer Member in Good Standing in the Waterford Fire Department:**
A Volunteer Member in Good Standing is defined as:
 - a. ~~4~~ A certified firefighter (i.e., State of Connecticut Firefighter I or higher) who has participated in the minimum training sessions, including but not limited to required training, by June 30 of the year preceding the year of eligibility (e.g., complete training by June 30, 2020 to be eligible for Incentive Program for the fiscal year July 1, 2020-June 30, 2021); and/or
 - b. ~~2~~ A member of the Fire Police who has been sworn by the Town Clerk.

A Volunteer Member in Good Standing does not include any member terminated from volunteer service by the Town of Waterford or otherwise separating from volunteer service for any reason, voluntary or involuntary.

5. **Active Volunteer Firefighter in the Waterford Fire Department:**
An Active Volunteer Firefighter is a certified firefighter and Member in Good Standing who, during the year of eligibility, has participated in a minimum number of approved training drills and maintains the minimum training requirements as set forth by the Director of Fire Services.
6. **Active Volunteer Fire Police Officer in the Waterford Fire Department:**
An Active Volunteer Fire Police Officer is a Fire Police Officer who has been sworn by the Town Clerk and who maintains the minimum training requirements as set forth by the Director of Fire Services.
7. **Approved Training Drill:**
An Approved Training Drill is a Waterford Fire Department level drill that is approved in advance by the Director of Fire Services and will result in credit towards the Town's Insurance Service Organization, Fire Protection Classification Rating.
8. **Required Training:**
Required Training is State and Federal minimum requirements to function at emergency scenes. These requirements ~~shall~~ may include, but are not ~~be~~ limited to, the yearly certifications and re-certifications along with the approved training drills. The Director of Fire Services maintains the discretion, upon a showing of good cause by the volunteer, to excuse temporarily and/or until a date certain, the absence of any such certifications, re-certifications and/or approved training drills. Training ~~shall~~ may include, but is not limited to, the following:
 - a. **Minimum Certifications:**
State of Connecticut Firefighter I
Hazardous Materials -- Operational Level
IS-700: National Incident Management System
ICS-100: Introduction to the Incident Command System
ICS-200: ICS for Single Resources and Initial Action Incidents
 - b. **Mandatory Training:**
Attend routine training drills (Monthly)
OSHA Mandates
 - Haz-Mat Operational Refresher
 - Incident Command System Refresher
 - Live Fire Training (Annual)
 - Blood-borne Pathogens
 - SCBA refresher
 - Routine Fit Testing
 - CPR Certification
 - c. **Certified Fire Officer Requirements (Additional):**
State of Connecticut Fire Officer I

IS-800: National Response Framework
ICS-300: Intermediate ICS for Expanding Incidents
ICS-400: Advanced ICS for Command and General Staff

- d. *Fire Police Requirements:*
Hazardous Materials – Awareness Level
IS-700: National Incident Management System
ICS-100: Introduction to the Incident Command System

9. **Stipend:**
A Stipend is an amount of money awarded to any Active Volunteer Firefighter who meets the point criteria set forth below and as may be modified, from time to time, by the Director of Fire Services.
10. **Point:**
A point represents participation by an Active Volunteer Firefighter or Active Fire Police in an emergency fire response or Approved Training Drills as described in paragraph B7. To receive a point, an Active Volunteer Firefighter or Active Fire Police must actually attend an incident and/or respond to and arrive at an activated station before the Incident Commander dismisses the assignment and/or attend and complete Approved Training Drills.
11. **Incident Commander:**
The Incident Commander sets priorities and defines the Incident Command System organization for the particular response and is responsible for the safety, accountability, and welfare of personnel through an incident.

C. **Program Components**

1. **Stipend Schedule:**
Active Volunteer Firefighters who meet the point criteria set forth below are eligible for quarterly Stipends. Stipends shall be divided into four periods and issued on a quarterly basis.
- | | | |
|----------------|---|--|
| First Quarter | = | July through September (Issued in October) |
| Second Quarter | = | October through December (Issued in January) |
| Third Quarter | = | January through March (Issued in April) |
| Fourth Quarter | = | April through June (Issued in July) |
2. **Reporting Requirements:**
- a. ~~4~~ An incident report shall be generated and completed for every dispatched incident.
- b. ~~2~~ All Active Volunteer Firefighters and Active Volunteer Fire Police must sign the report within 15 minutes of the last vehicle returning to the station at the termination of the event.
- c. ~~3~~ If an Active Volunteer Firefighter or Active Volunteer Fire Police

is not able to sign the report within the allotted time, he or she must file a report with 24 hours of the incident.

- d. ~~4.~~ Anyone documenting another member's name on the report shall initial next to that entry ~~to~~ for validation purposes.
- e. ~~5.~~ Attendance records shall be recorded and maintained on the Town's approved records management software.
- f. ~~6.~~ The Office Coordinator shall prepare the quarterly reports for payment.
- g. ~~7.~~ All quarterly reports will be reviewed and approved by the Director of Fire Services prior to the approval of issuance of quarterly Stipend.

3. **Stipend Eligibility and Amount:**

An Active Volunteer Firefighter or Active Volunteer Fire Police Officer shall not receive any Stipend until receiving a minimum of fifty (50) Points during that fiscal year. The Active Volunteer Firefighter or Active Volunteer Fire Police Officer will then be provided a Stipend at the rate \$7 for each prior and subsequent Point for the remainder of that fiscal year (e.g., an Active Volunteer Firefighter who has 55 points will receive \$386; an Active Volunteer Firefighter with 20 points will receive \$0). The Director of Fire Services may propose changes to the mandatory/minimum eligibility criteria, ~~and/or~~ Point value (increase or decrease), Stipend rate or amount (increase or decrease) to the RTM, which may act on such proposed changes by resolution majority vote. As part of its determination, the RTM must evaluate continued compliance with the federal Fair Labor Standards Act.

4. **Discretionary Decisions on Awarding of Points:**

The Director of Fire Services has the ability to make discretionary decisions regarding the awarding of Points. These decisions shall be documented in the quarterly report.

5. **Higher Level of Training Stipend:**

An Active Volunteer Firefighter who receives at least 50 Points during a fiscal year and who is also a Certified Fire Officer and meets all the additional requirements outlined above (i.e., State of Connecticut Fire Officer I; IS-800: National Response Framework; ICS-300: Intermediate ICS for Expanding Incidents; ICS-400: Advanced ICS for Command and General Staff), will receive an additional \$150 on an annual basis in recognition of his/her high level of training. This \$150 stipend will be issued at the same time as the stipend for the initial 50 Points. The Director of Fire Services may propose changes to the Higher Level of Training Stipend amount (increase or decrease) to the RTM, which may act on such proposed changes by majority vote.

6. **Ineligibility Due to Misconduct or Separation from Waterford Fire Department:**

Any Active Volunteer Firefighter or Active Volunteer Fire Police Officer tampering or falsifying run reports, attendance data, etc. shall be suspended from the Program and will not receive any Stipend for at least the current quarter.

Any Active Volunteer Firefighter or Active Volunteer Fire Police Officer tampering or falsifying run reports, attendance data, etc. for the second offense, will be expelled from the Program and will not receive any Stipend for the current quarter and remainder of the current year.

Any Active Volunteer Firefighter or Active Volunteer Fire Police Officer who is terminated from volunteer service by the Town of Waterford as of the end of a quarter is not eligible for a Stipend for that quarter. The Director of Fire Services and the Human Resources Director shall evaluate and determine, in their discretion, the eligibility for a Stipend of an Active Volunteer Firefighter or Active Volunteer Fire Police Officer who voluntarily separated from volunteer service as of the end of a quarter.

D. Funding and Administration

1. Funding:

Through its normal, annual budget process, the Town shall determine whether or not to fund the Program and, if so, in what amount. ~~To fund the Program, the Town shall appropriate no more than \$50,000 per fiscal year through its annual budget process. The Town may appropriate anywhere between \$0 and \$50,000.~~

Any portion of the annual appropriation not expended during a fiscal year does not carry over to the next fiscal year.

Should the total appropriation authorized for the Program exceed the annual appropriation, then the quarterly Stipends for the then-current quarter will be prorated to reflect the total amount available for distribution for that quarter.

2. Termination:

The Town shall have the right through the Representative Town Meeting to terminate the Program at any time through the ordinance process.

~~Separability:~~

~~If any provisions of this Program shall be held illegal or invalid for any reason, said illegality or invalidity shall not affect the remaining parts of the Program but the Program shall be construed and endorsed as if said illegal or invalid provisions had never been inserted herein.~~

3. Applicable Law:

The validity of the provisions of this Program shall be determined under said provisions and shall be construed according to the laws of the State of Connecticut.

FIFTEEN ROPE FERRY ROAD
WATERFORD, CT 06385-2886



PHONE: 860-442-0553
www.waterfordct.org

2020 MAY 26 PM 4:05

**MINUTES
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Special Meeting**

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