

FIFTEEN ROPE FERRY ROAD
WATERFORD, CT 06385-2886



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AGENDA
PUBLIC PROTECTION & SAFETY STANDING COMMITTEE of the RTM
SPECIAL MEETING

Wednesday, August 17, 2022
6:00 P.M. - Waterford Town Hall
Louise Appleby Room

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. To consider and act upon the September 16, 2021 Meeting Minutes.**
- 5. Consideration and possible action on item(s) referred to committee:**
 - A. Review of Ordinance 2.36 – Volunteer Firefighters Incentive Program, RTC 06/06/22**
- 6. Adjournment**

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TOWN CLERK

FIFTEEN ROPE FERRY ROAD



WATERFORD, CT 06385-

MINUTES *Amended

PUBLIC PROTECTION & SAFETY STANDING COMMITTEE OF THE RTM

Special Meeting

Thursday, September 16, 2021

6:00 P.M. - Waterford Town Hall/Zoom Remote Access Only

The September 16, 2021 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: RTM Moderator Thomas Dembek, Town Attorney Robert Avena, Town Clerk David L. Campo.

PUBLIC COMMENT None

AGENDA ITEM 5: April 5, 2021 Minutes

MOTION by Welch-Collins, seconded by Driscoll, to approve the minutes from the April 5, 2021 Special Meeting.

VOTING IN FAVOR: Unanimous with one member abstaining. (Driscoll)

AGENDA ITEM 6: Appointment

MOTION by Welch-Collins to appoint Tim Condon to the Fire Services Review Special Committee.
Withdrawn

MOTION by Condon, seconded by Welch-Collins, to appoint Susan Driscoll to the Fire Services Review Special Committee.

VOTING IN FAVOR: Unanimous with one member abstaining. (Driscoll)

MOTION by Driscoll, seconded by Welch-Collins, to adjourn at 6:07 P.M.

VOTING IN FAVOR: Unanimous

Respectfully Submitted,

David L. Campo, CCTC
Waterford Town Clerk

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*RTM Moderator Thomas Dembek's attendance was not included in original draft.

2.36.080 - Volunteer firefighters and fire police 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 volunteer firefighters and fire police incentive program is designed to provide monetary compensation to active, volunteer firefighters and fire police members in the Town of Waterford Fire Department, in an effort to 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. ("FLSA"). The FLSA permits payments for reimbursement of expenses, reasonable benefits and nominal fees to volunteers without impairing their status as volunteers. These benefits are in addition to the existing property tax abatement program for volunteer firefighters in Title 3, Chapter 3.12 of this Code of Ordinances. Town of Waterford Fire Department personnel employed by the Town of Waterford are not eligible for this volunteer firefighters and fire police incentive program.

B. *Definitions.*

1. *Program:* The term "program" means the volunteer firefighters and fire police incentive program.
2. *Program year:* Program year is the fiscal year, i.e., July 1—June 30.
3. *Implementation date:* The implementation date of the program is July 1, 2020¹. □
4. *Volunteer member in good standing in the Waterford Fire Department:* A volunteer member in good standing is defined as:
 - a. A certified firefighter (i.e., State of Connecticut Firefighter I or higher) who has participated in the minimum training sessions designated by the director of fire services and including, but not limited to required training (as set forth in paragraph B.8), by June 30 of the year preceding the year of eligibility (e.g., complete training by June 30, 2020 to be eligible for the program for the fiscal year July 1, 2020—June 30, 2021, absent a modification of the June 30 date by the director of fire services on an individual basis pursuant to paragraph B.8); and/or
 - b. A member of the fire police who has participated in the minimum training sessions designated by the director of fire services and, including but not limited to, required training (as set forth in paragraph B.8.d), by June 30 of the year preceding the year of eligibility (e.g., complete training by June 30, 2020 to be eligible for the program for the fiscal year July 1, 2020—June 30, 2021, absent a modification of the June 30 date by the director of fire services on an individual basis pursuant to paragraph B.8); and who has been sworn in 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 member in the Waterford Fire Department:* An active volunteer fire police member is a member in good standing who has been sworn in 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 include, but are not 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 include, but is not limited to, the following titles and substantive content (training titles and reference numbers may change from time to time):

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 or active fire police member who meets the 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 member in an emergency fire response or approved training drills as described in paragraph B.7. To receive a point, an active volunteer firefighter or active fire police member 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*. Individuals serving as volunteers or employees of the Waterford Ambulance Service when attending and/or responding to a particular incident will not receive points related to that incident.
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 and fire police members who meet the criteria set forth below are eligible for stipends issued on a quarterly basis as follows:

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. An incident report shall be generated and completed for every dispatched incident.
- b. All active volunteer firefighters and active volunteer fire police members must sign the report within fifteen minutes of the last vehicle returning to the station at the termination of the event.
- c. If an active volunteer firefighter or active volunteer fire police member is not able to sign the report within the allotted time set forth in subsection C.2.b, he or she must file a report with twenty-four hours of the incident.
- d. Anyone documenting another member's name on the report shall initial next to that entry for validation purposes.
- e. Attendance records shall be recorded and maintained on the town's approved records management software.
- f. The director of fire services or his/her designee shall prepare the quarterly reports for payment.
- g. All quarterly reports will be reviewed and approved by the director of fire services prior to the approval of issuance of quarterly stipend.
- h. The director of fire services shall also submit quarterly reports to the RTM on the status of the program.

3. *Stipend eligibility and amount:* An active volunteer firefighter or active volunteer fire police member shall not receive any stipend until receiving a minimum of fifty points during that fiscal year. The active volunteer firefighter or active volunteer fire police member will then be provided a stipend at the rate of seven dollars for each prior and subsequent point earned during that fiscal year (e.g., an active volunteer firefighter who has fifty-five points will receive three hundred eighty-five dollars; an active volunteer firefighter with twenty points will receive zero dollars). The director of fire services may propose changes to the mandatory/minimum eligibility criteria, point value (increase or decrease), stipend rate or amount (increase or decrease) to the RTM, which may act on such proposed changes by 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, in the exercise of his/her discretion, will decide any disputes regarding the awarding of points under paragraph

B.10. The director of fire services, in the exercise of his/her discretion, also may award points for reasons other than those expressly set forth in paragraph B.10. These decisions shall be documented in the quarterly report.

5. *Higher level of training stipend:* An active volunteer firefighter who receives at least fifty 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 one hundred fifty dollars on an annual basis in recognition of his/her high level of training. This one hundred fifty dollar stipend will be issued at the same time as the stipend for the initial fifty 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:* The ordinance codified in this section incorporates by reference, the Waterford Fire Department Policy 103 - Disciplinary Procedures, as may be renumbered and/or amended from time to time.

In the event that the director of fire services decides to impose disciplinary action short of termination against any active volunteer firefighter or active volunteer fire police member, the director of fire services retains the discretion to suspend any active volunteer firefighter or active volunteer fire police member from the program, as either the discipline or as a component of the discipline. The director of fire services retains the discretion to determine the status of any existing points (e.g., forfeited, retained) at the time of suspension.

Any active volunteer firefighter or active volunteer fire police member who is terminated from volunteer service by the Town of Waterford immediately forfeits all points and is not eligible for any stipend. 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 member who voluntarily separated from volunteer service as of the end of a quarter.

D. *Funding and administration.*

1. *Funding:*
 - a. Through its normal, annual budget process, the town shall determine whether or not to fund the program and, if so, in what amount.
 - b. Any portion of the annual appropriation not expended during a fiscal year does not carry over to the next fiscal year.
 - c. Should the total expenses 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. If the program exceeds the annual appropriation in a quarter other than the last quarter of the fiscal year, the program may be unfunded for quarters following the pro-rated quarter.

2. *Modifications:* Any modifications allowed under this section without an ordinance amendment (e.g., change in the stipend rate) will be recorded in an annual program update each July and maintained on file in the office of the director of fire services.
3. *Termination:* The town shall have the right through the representative town meeting to terminate the program at any time through the ordinance process.

(Amend. of 10-5-20(4).)

Footnotes:

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Depending on the date of enactment of this Ordinance, the Implementation Date is retroactive to July 1, 2020.