AGENDA
Town Council
Town of East Greenwich
Regular Meeting/Joint Meeting with School Committee
July 10, 2017 at 7:00 PM
Town Hall, 125 Main Street, East Greenwich, RI 02818

(Any matter listed on this agenda is subject to a vote by the Town Council.)

(1) Call to Order and Pledge of Allegiance to the American Flag

(2) Acknowledgements

- (a) Stephen Brusini for serving six years on the Planning Board
- (b) Rob Hamlin for serving eight years on the Board of Assessment Review
- (c) Barbara Brusini for serving over four years on the Cove Management Commission

(3) Reports and Communications

- (a) Public Comment (15-minute time limit for items NOT on the agenda)

(4) Public Hearing

- (a) An ORDINANCE in amendment of the Code of the Town of East Greenwich to ADD a new Chapter entitled "Fire Department" (SECOND READING).

(5) Consent Calendar

- (a) Release of Fry Brook Condominium Project Performance Bond

(6) Unfinished Business

- (a) Municipal Court Restructuring

(7) New Business

- (a) Application for a NEW Victualing License for Guruhari LLC. d/b/a Sunny Hill Convenience Store, 1002 Main Street (formerly Sunnybrook Farms).
- (b) Council authorization to allow Main Street Association of East Greenwich to use Town properties for an outdoor movie screening on August 12 (rain date of August 13), to include coverage under the Town's insurance policy. Discussion and request for Council to waive overtime fees, building rental fees and insurance requirements for the Main Street Association's Outdoor Movie.

(c) Discussion and request for Council to waive overtime, detail costs and miscellaneous Town fees (i.e. liquor license, amplified music permit, etc.) for Summer's End.

(d) Discussion and request for Council to waive the insurance requirement for the Farmer's Market and to authorize use of Town property for said Farmer's Market.

(e) Report from Town Manager on Municipal Salary Review and Departmental Overtime Report as requested by Council.

(f) Discussion of Town Manager position.

(8) JOINT MEETING WITH EAST GREENWICH SCHOOL COMMITTEE

(a) Review Town Consolidation proposal and One Town.

(b) Ratification of Memorandum of Agreement between the Town Council and School Committee to further and implement One Town Plan.

(9) Town Manager's Report

(10) Council Comments

(11) Public Comments (15 minute time limit)

(12) Executive Session

(a) Closed pursuant to RIGL 42-46-5 (a)(1), sessions pertaining to discussion of the job performance, character, or physical or mental health of persons in the employ of the Town of East Greenwich. The Council affirmatively asserts that such persons affected shall have been notified in advance in writing and advised that they may require that the discussion be held at an open meeting.

(b) Closed pursuant to RIGL 42-46-5 (a)(2), sessions pertaining to collective bargaining or litigation, specifically to discuss the matter, Pawtucket Credit Union, et al. v. East Greenwich, KC-2017-0084.

(c) Closed pursuant to RIGL 42-46-5(a)(2), sessions pertaining to collective bargaining or litigation, specifically to discuss with the Solicitor matters pertaining to employment matters, including but not limited to, collective bargaining obligations as it pertains to a Fire Department clerk position.

Posted July 7, 2017 in accordance with RIGL 42-46-6 at EG Town Hall, Swift Community Center, EG Town Website and Secretary of State website. Individuals requesting interpreter services for the hearing impaired must notify the Town Clerk's office at (401) 886-8604 via RI Relay #711 (800-745-5555 TTY) or in writing, at least forty-eight (48) hours in advance of the hearing date

TOWN COUNCIL AGENDA TRANSMITTAL FORM

Town Council Meeting Date: **7/10/2017**

1. Agenda item (List as it should appear on the agenda)
   Stephen Brusini for serving six years on the Planning Board

2. Submitted by (List department and individual, if necessary)
   Town Clerk

3. Provide a brief description of the item and why it is on the agenda

4. Contact person and phone number for questions
   Sherri Dunwoody - 886-8602

ATTACHMENTS:

	Description	Type
🗋	Stephen Brusini - Commendation - EG Planning Board	Commendation

State of Rhode Island and Providence Plantations

Town of East Greenwich

COMMENDATION

The East Greenwich Town Council
wishes to recognize

Stephen Brusini

for serving 6 years on the

East Greenwich Planning Board.

The Council thanks him for his time
and service to the town.

Attest the Seal of the Town Council
of the Town of East Greenwich
this 10th day of July, A.D. 2017

Suzanne M. Cienki, President

Sean M. Todd, Vice President

Andrew F. Deutsch, Councilor

Nino M. Granatiero, Councilor

Mark Schwager, Councilor

TOWN COUNCIL AGENDA TRANSMITTAL FORM

Town Council Meeting Date: **7/10/2017**

1. Agenda item (List as it should appear on the agenda)
   Rob Hamlin for serving eight years on the Board of Assessment Review

2. Submitted by (List department and individual, if necessary)
   Town Clerk

3. Provide a brief description of the item and why it is on the agenda

4. Contact person and phone number for questions
   Sherri Dunwoody - 886-8602

ATTACHMENTS:

	Description	Type
🗋	Rob Hamlin - Commendation - Board of Assessment Review	Memo

State of Rhode Island and Providence Plantations

Town of East Greenwich

COMMENDATION

The East Greenwich Town Council
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Rob Hamlin

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TOWN COUNCIL AGENDA TRANSMITTAL FORM

Town Council Meeting Date: **7/10/2017**

1. Agenda item (List as it should appear on the agenda)
   Barbara Brusini for serving over four years on the Cove Management Commission

2. Submitted by (List department and individual, if necessary)
   Town Clerk

3. Provide a brief description of the item and why it is on the agenda

4. Contact person and phone number for questions
   Sherri Dunwoody - 886-8602

ATTACHMENTS:

	Description	Type
🗋	Barbara Brusini - Commendation - Cove Management Commission	Commendation

State of Rhode Island and Providence Plantations

Town of East Greenwich

COMMENDATION

The East Greenwich Town Council
wishes to recognize

Barbara Brusini

for serving over 4 years on the

East Greenwich Cove Management Commission.

The Council thanks her for her time
and service to the town.

Attest the Seal of the Town Council
of the Town of East Greenwich
this 10th day of July, A.D. 2017

Suzanne M. Cienki, President

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TOWN COUNCIL AGENDA TRANSMITTAL FORM

Town Council Meeting Date: **7/10/2017**

1. Agenda item (List as it should appear on the agenda)
   An ORDINANCE in amendment of the Code of the Town of East Greenwich to ADD a new Chapter entitled "Fire Department" (SECOND READING).

2. Submitted by (List department and individual, if necessary)
   Town Clerk

3. Provide a brief description of the item and why it is on the agenda
   Updating the Code to reflect the addition of the Fire Department as part of the municipality effective June 2013.
   Introduced June 12, 2017.
   First Pubic Hearing June 26, 2017.
   Continued from June 26, 2017 for revised language.

4. Contact person and phone number for questions
   Russ McGillivray 401-886-8694

ATTACHMENTS:

Description	Type
DRAFT Ordinance	Ordinance

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF EAST GREENWICH, ADDING A NEW CHAPTER ENTITLED "FIRE DEPARTMENT".

The Town Council of the Town of East Greenwich hereby ordains:

Section 1. The Code of the Town of East Greenwich is hereby amended to add a new chapter as follows:

Chapter 100
Fire Department

GENERAL REFERENCES

Permanent Fire Department — See Charter § C-109.

Article I
General Provisions

§ 100-1 Authority of Chief.

The Chief shall be the executive and administrative head of the Fire Department, and he is hereby authorized, subject to the approval of the Town Manager, to make rules and regulations not inconsistent with law for the examination and qualification of applicants for appointment to the Department; for the discipline, control and removal of the members; and relating to reimbursement for expenses properly incurred in the performance of their official duties.

§ 100-2 Disciplinary authority of Council and President.

A. The Town Manager may at any time suspend any member of the permanent fire department until the next regular meeting of the Town Council, at which time the Town Manager shall report any and all suspensions with the reasons therefor, and the Town Council may continue such suspensions until the next regular meeting following.

B. Any member of the permanent fire department, including the Fire Chief and Deputy Fire Chief, shall be subject to reduction in rank or to removal from office by the Town Council at any regular meeting thereof for misconduct, incapacity; neglect of duty or insubordination of such character as the Town Council may deem a disqualification for the office.

C. The provisions of the preceding subsections of this section relating to suspensions, reductions in rank and removal from office shall not apply to any fire officer or firefighter other than members of the permanent fire department of the Town.

§ 100-3 Request for charges in writing; hearing.

All reductions or removals by the Town Manager shall be upon charges made in writing, if requested by any such officer/firefighter, and of which the officer/firefighter complained about shall have notice and opportunity at the time appointed to be heard thereon.

§ 100-4 Solicitor to represent Department.

The Town Solicitor shall act as the legal advisor to the members of the Department in all

matters pertaining to their official duties, shall prosecute all suits and proceedings which they may be authorized to commence, and shall appear for and defend members of the Department in all suits and proceedings which may be brought against any one of them in his official capacity.

§ 100-5 Retirement of members of permanent Department.
The Town of East Greenwich will provide the twenty-five year retirement program as provided in accordance with Rhode Island General Laws § 45-21.2-22.

§ 100-6 Fire Department Standard Operating Guideline.

A. The rules and regulations and standard operating guidelines of the Fire Department of the Town provide a guide for the proper performance of the duties imposed on firefighters of all ranks and grades.

B. The good name and reputation of East Greenwich rests frequently on the way we on the Fire Department perform our duty. Therefore, it behooves all of us in the Department to act in a thoughtful and courteous manner.

C. It is the natural desire of all members to rise to higher positions. Such advancement can only be made by superior work, intelligence and good conduct. As in all large groups, whether industrial, military, or commercial the great majority must be in the ranks at any given time. The members of the Department can see that all positions above them have been filled from the ranks, and the same opportunity is theirs if they but apply themselves studiously to the performance of their duties.

D. Being a firefighter/EMT is honorable work. We are entrusted with the protection of life and property. We shall have the respect of the people of East Greenwich if we perform our duty in accordance with the highest standards of firefighting.

E. **Firefighter Code of Ethics**

Goal: To direct employees in the performance of their duties through broad behavioral guidelines, under which all employees are expected to conduct themselves while working for the Fire Department. A Code of Ethics also helps declare and define the mission of the Fire Department and moral obligations necessary of all members of the Fire Department to most efficiently fulfill that mission.

F. **Rhode Island Code of Ethics in Government:**

The Rhode Island Code of Ethics in government is comprised of a set of statutory and regulatory provisions which regulate the ethical conduct of elected and appointed public officials as well as state and municipal employees. All members of the Fire Department are obligated to adhere to the code and are reminded that, “It is the policy of the State of Rhode Island that public officials and employees must adhere to the highest standards of ethical conduct, respect the public trust and the rights of all

persons, be open, accountable and responsive, avoid the appearance of impropriety, and not use their position for private gain or advantage."

G.

Ethical Conduct:

The Fire Department expects all employees to adhere to the highest standards of ethical conduct in the performance of their duties to the Fire Department, their fellow employees and the public.

Ethics is a general term for what is often described as the "science (study) of morality". It also encompasses:

1. philosophy, ethical behavior is that which is "good" or "right"
2. a set of moral principles or values
3. the study of fundamental principles that defines values and determines moral duty and obligation
4. system of moral principles, rules and standards of conduct
5. the study of right and wrong, good and bad, moral judgment, etc.

In this regard all employees of the Fire Department shall:

1. Conduct themselves at all times in such a manner as to create respect for themselves, as public servants, and the jurisdiction they represent.
2. Place the public interest above individual, group, or special interests and will consider their jobs as an opportunity to serve the citizens. This is especially important as Firefighter/EMT's have access to access box keys, citizen homes and citizen possessions. The public's trust must be maintained!
3. Not discriminate because of race, color, religion, age, sex, sexual orientation, handicap, political affiliation, or national ancestry. In his/her job capacity, each employee is to work to prevent and eliminate such discrimination while providing services, assigning work schedules, and in executing all personal actions.
4. Not accept any personal gift, favor, service, money or anything of value from the public that might reasonably tend to influence the impartial discharge of duties.
5. At all times, when in contact with the public, be fair, courteous, respectful and impartial. The majority of citizen complaints are not due to inappropriate treatment but rather due to the negative or rude behavior demonstrated by a Firefighter/EMT.

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6. Refrain from using their position for personal gain and will keep confidential all information not available to all citizens, but that is available to the employee by virtue of their position in the organization.

7. Not drink any alcoholic beverage or take any drug that may incapacitate an individual while on duty. Employee safety is everyone's responsibility.

8. When in public, clearly distinguish/identify between all statements and actions made as an individual and as a representative of the Department.

Medical Code of Ethics:

H.

The professional status as a Firefighter/Emergency Medical Technician is maintained and enriched by the willingness of the individual practitioner to accept and fulfill obligations to society and other medical professionals. Therefore, every Firefighter/EMT shall:

1. Be dedicated to conserving life, to alleviating suffering, to promoting health, to do no harm, and to encourage the quality and equal availability of emergency medical care to all members of the public.

2. Provide services based on human need, with respect for human dignity, unrestricted by consideration of nationality, race, creed, color, or status.

3. Respect and hold in confidence all information of a confidential nature obtained in the course of professional work unless required by law to divulge such information.

4. Maintain professional competency, demonstrate concern for competence of others, and assumes responsibility for individual professional actions and judgment.

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Article II

Rules and Regulations

§ 100-7 Introduction.

A. **Summary.** The regulations in the Standard Operating Guidelines are adopted as a guide for the discipline and governance of the Fire Department. It cannot be expected that any set of regulations will cover all situations or emergencies which arise. In a role as complex as that of a fire officer or firefighter; intelligence and discretion will often be the only available guidelines.

B. There is a need for standards of conduct and general rules in any organization, especially one in an area as important as firefighting. These Standard Operating Guidelines are formulated to meet that need and shall define the minimal expectations of all members and employees of the Fire Department. These are the policies of the Department for a variety of situations which may arise during an officer's/firefighter's tour of duty.

C. Department members and employees are required to read and be familiar with the contents of the Standard Operating Guidelines. The purpose of this manual is not to provide the Chief or appointing authority with a tool for punishing officers/firefighters. Rather it is an attempt at improving the effectiveness of the Fire Department by making clear to all officers, firefighters and administrative employees what is expected of them and what they can expect of fellow officers, firefighters and administrative employees.

§ 100-8 Severability.

If any part of these regulations is rendered inoperable or declared illegal by any court or tribunal of competent jurisdiction, the balance of the entire manual will remain in full force and effect.

§ 100-9 Gender of words.

Every word importing the masculine gender only shall be construed to extend to and to include females as well as males.

§ 100-10 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

CHAIN OF COMMAND: The unbroken line of authority extending from the Fire Chief and through a single subordinate at each level of command down to the level of execution.

COMMANDING OFFICER: A superior officer or, in his absence, the most senior officer assigned to exercise command over a division, company or unit.

DEPORTMENT: The manner in which an individual behaves and conducts himself.

DETAIL: A fire/EMS assignment.

DISCIPLINE: A standard of orderly conduct based on obedience and conformity to a set of rules or regulations.

DIVISION: A major part of the fire department which encompasses a group or units.

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DUTY: A sworn obligation to perform a firefighting/EMT action or service.

EQUIPMENT: Comprises nonexpendable items such as turnout gear, hose, nozzles, medical supplies, computers, Self-Contained Breathing Apparatus, etc.

FIREFIGHTER, PROBATIONARY: Prior to a firefighter's permanent appointment, he shall serve a period of not less than 12 months.

GENERAL ORDER: A directive published by order of the Fire Chief or Deputy Fire Chief applying to all members and civilian employees which has the force of a regulation.

HEADQUARTERS: A center from which orders are issued or plans formulated.

INCOMPETENCE: Incapable of the satisfactory performance of firefighter/EMT duties.

INSUBORDINATION: The willful disobedience of any order lawfully issued by a superior officer, or any disrespectful, mutinous, insolent or abusive language toward a superior officer.

MANUAL: An instructional publication which describes the most acceptable way of performing specified tasks.

MAY: Indicates permissive action.

MEMBER: Sworn firefighter/EMT, whether or not probationary, unless stated otherwise.

MEMORANDUM: An informal record of any proceeding or informal communication of any kind.

MISSION: Goal, objective or specified work.

NEGLECT OF DUTY: Failure to give suitable attention to the performance of duty.

OFFICER IN CHARGE: Any firefighter/officer who shall be in command of any organic unit or situation at any given time.

OFFICIAL CHANNELS: Through the hands of the superior officer in the chain of command.

OUT OF SERVICE: Whenever a member or piece of equipment is not in service or unavailable for firefighting activity.

PLATOON: A working shift or duty period.

PROCEDURE: A manner of taking action.

PROMULGATION: The act of making known officially.

PROPER AUTHORITY: The right or power to decide and command, when such right is specifically delegated.

RANK: Each class level of members of the fire department

RANKING OFFICER: The officer having the highest rank.

REGULATION: A mandate promulgated by the Fire Chief or Deputy Fire Chief, applicable to all members and employees.

SHALL: Indicates mandatory action.

SPECIAL ORDER: A directive published by order of the Fire Chief or Deputy Fire Chief applying to particular members and employees.

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SUPERIOR OFFICER: A member above the rank of firefighter, may include "acting officer's"

TOUR OF DUTY: an established work period.

UNIFORM OF THE DAY: The uniform specifically designated by the Fire Chief to be worn by uniformed members or employees of the Fire Department at any given time.

VERBAL ORDER: An oral directive by a superior officer to a subordinate.

§ 100-11 Firefighters; appointment generally.

A. **Appointment and tenure.** All firefighter's on the permanent fire department below the rank of Fire Chief shall be appointed or promoted, as the case may be, by the Town Manager with the approval of the Town Council and upon the recommendation of the Fire Chief, provided they shall have satisfactorily passed such qualifying tests. They shall hold their respective offices, during good behavior, until vacated by death, resignation or retirement, or until they shall be removed in the manner set forth in this chapter; provided, nevertheless, that all members of the force shall, at the time of their permanent appointment, have served for a period of not less than 12 months in a probationary status, during which probationary period they may be removed at any time by the Town Manager with the approval of the Town Council and upon recommendation of the Fire Chief, with or without cause.

B. **Qualifications for appointment and promotion.** The Town Council shall provide standards for qualifications for appointment as a member of the permanent fire department and for promotion to the various ranks by it specified and, for this purpose, shall require appropriate tests.

C. **Decrease in number of permanent fire department.** The Town Council shall have the right to decrease the number of officers/firefighters on the permanent fire department upon the recommendation of the Town Manager for the purpose of complying with and remaining within appropriations currently available for the payment of compensation within the Fire Department, and for this purpose shall, without making any charges and without cause, have the right to remove a officers or firefighters who are members of the permanent fire department. In any such case, the Town Council shall order the removal of the officer/firefighter having the lowest rank and seniority in service. Any officer/firefighter so removed shall have precedence in the order of their seniority over all other candidates for future appointments to the permanent fire department.

D. **Oath of office on appointment.** All firefighters, including the Fire Chief, upon their appointment to the permanent fire department shall swear the following oath of office prior to assuming any duties:

> "I, _____, do solemnly swear (affirm) that I will support the Constitution and obey the laws of the United States of America and of the State of Rhode Island; that I will, in all respects, observe the provisions of the Home Rule Charter and ordinances of the Town of East Greenwich, and will faithfully discharge the duties of the office of _____ in the Fire Department of the Town of East Greenwich, so help me God. This affirmation I make and give upon pain of the penalty of perjury."

E. **Appointment of probationary firefighter.**

(1) Upon appointment as a probationary firefighter, every appointee shall swear the following oath:

"I solemnly swear (or affirm) that I will support the Constitution and obey the laws of the United States of America and of the State of Rhode Island; that I will, in all respects, observe the provisions of the Charter and ordinances of the Town of East Greenwich, and will faithfully discharge the duties of the office of probationary firefighter."

(2) Probationary firefighters may be separated from the force at any time during the probationary period of one year without trial or hearing when the Fire Chief deems such separation to be for the good of the Department.

F. **Appointment to permanent firefighter.** After successful completion of the probationary period, the Fire Chief may recommend to the Town Manager to appoint probationary firefighters to permanent status in the Department. Each appointee shall re-swear the oath described in Subsection **E** of this section. The Town Manager may approve the appointment to firefighter, may extend for a period not exceeding one year the probationary period, or may terminate the individual subject to these rules and the Town Charter.

§ 100-12 Professional responsibilities.
Firefighters are professionals and, as such, are expected to maintain exceptionally high standards in the performance of their duties. Effective and efficient performance of this duty requires that a firefighter maintain the respect and cooperation of this community. This requirement dictates that the conduct of all firefighters be above reproach in all matters both within and outside the Department. General professional responsibilities include taking appropriate action to:

A. Protect life and property;

B. Respond to all public emergencies;

C. Endeavor to maintain good community relations;

D. Perform any other duties as assigned by proper authorities; and

E. Obey all statutes and ordinances as necessary.

§ 100-13 Conflict of interest.
Since the position of firefighter is a public trust, it is important to avoid all situations involving conflicts of interest whether in fact or only in appearance.

A. **Membership in organizations.** A member or employee of this Department shall not affiliate with or become a member of any organization if such affiliation or membership would in any way interfere with or prevent him from performing his duty.

§ 100-14 Orders.
An order is a command or instruction, written or oral, given by a superior officer. All lawful orders, written or oral, shall be carried out fully and in the manner prescribed. All general orders, memorandums, special circulars or other orders printed upon authorized departmental

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forms that have been approved by the Fire Chief shall have the force and effect of a Department regulation. All members of the department shall become familiar with the regulations and provisions thereof.

A. **General orders.** General orders are permanent written orders issued by the Fire Chief or Deputy Fire Chief outlining policy matters which affect the entire Department. A general order is the most authoritative written order the Chief issues and may be used to amend, supersede or cancel any previous order. General orders remain in full effect until amended, superseded or canceled by the Chief. Arrangements shall be made to include general orders in the Standard operating Guidelines.

B. **Special orders.** Special orders are temporary written orders issued by the Fire Chief outlining instructions covering particular situations. Special orders are automatically cancelled when their objective is achieved.

C. **Unlawful orders.** No member shall knowingly issue an order in violation of any law or any departmental regulation. Unlawful orders shall not be obeyed. The officer/firefighter to whom the order was given shall notify the ordering officer of the illegality of his order. Responsibility for refusal to obey rests with the officer/firefighter to which the order was given. He shall be strictly required to justify his action.

D. **Unjust or improper orders.** Lawful orders which appear to be unjust or improper shall be carried out. After carrying out the orders, the officer/firefighter to whom the order was given may file a written report to the Chief via the chain of command indicating the circumstances and the reasons for questioning the orders, along with his request for clarification of departmental policy.

E. **Conflicting orders.** Should any order given by a superior officer conflict with any previous departmental order, the member to whom such order is given will call attention to the conflict. If the superior officer does not change his order to avoid such conflict, then his order will be obeyed, but the member obeying such order will not be held responsible for disobedience of the previous order. It should later be reported to the Chief in writing for clarification.

F. **Complying with instructions from radio dispatcher.** All messages transmitted over the radio system by any member of the force shall be direct and concise and shall conform to all departmental radio procedures and the rules and regulations of the Federal Communications Commission. No member shall disobey or refuse to take cognizance of any communication transmitted through the radio dispatcher by a superior officer.

§ 100-15 Required conduct.

A. In addition to the specific duties of each individual rank and assignment, the following provisions are applicable to all members of the Department:

(1) **Reporting for duty.** Report for duty whenever so ordered by proper authorities. Report for duty at the regularly appointed time and not absent himself from duty without leave. Every member of the department shall report for duty and be present at the time and place specified by his commanding officer. He shall be properly equipped and shall be clothed in the prescribed uniform of the day.

(2) **Awareness of activities.** Upon returning to duty from any absence, inform himself about all new orders, regulations, memoranda and all other important matters governing his assignment. Every member of the department shall familiarize himself with all the laws, statutes, ordinances, regulations and protocols necessary for the proficient execution of his duty as a firefighter/EMT.

(3) **Submitting reports.** Promptly and accurately complete and submit all reports and forms as required.

(4) **Attention to duty.** Every member of the department who has occasion to handle any complaint, assistance call, or other duty shall attend to such duty with a businesslike dispatch and courtesy and without any unnecessary loss of time. He shall furnish information or render aid to all persons with due courtesy whenever such request is consistent with his duty.

(5) **Address and telephone**. An officer/firefighter shall have a telephone in his residence and shall report any change of phone number or address to his superior officer within 48 hours.

(6) **Truthfulness.** A firefighter shall truthfully state the facts in all reports as well as when he appears before any judicial, departmental or other official investigation, hearing, trial or proceeding. He shall cooperate fully in all phases of such investigations, hearings, trials and proceedings. A member or employee of the Department shall speak the truth at all times and under all circumstances. In cases in which he is not allowed by the regulations of the Department to divulge facts within his knowledge, he will decline to speak on the subject.

(7) **Physical fitness.** Maintain good physical condition in accordance with a standard determined by the Chief. Every member of the force shall keep himself as physically fit as his age and the nature of his duties require. The Department physician shall have the responsibility, subject to the approval of the Fire Chief, for judicious interpretation of this regulation in individual cases.

(8) **Physical examination.** A member shall submit to a physical exam at any time, at the expense of the Department, when so ordered by the Fire Chief.

(9) **Communication.** Shall transmit communications to other members of the Department when required.

(10) **Civil suits for personal injuries.** Any claims for damage to clothing or other personal property belonging to a member or employee caused by the performance of duty shall be made in accordance with current departmental directives. Members and employees shall not seek in any way, nor accept from any persons, money or compensation for damages sustained or expenses incurred by them in the line of duty without first notifying the Fire Chief in writing. Members or employees who have received municipal salaries for illness or for personal injuries sustained off duty shall notify the Fire Chief in writing of any intent to seek, sue, solicit or accept compensation as damages for such illness or injury. Notice shall be filed before the action is taken. It shall include the facts of the claims and the name of the defendant. The Chief shall be kept informed of the status of the case and the final court determination. This provision shall not apply to benefits

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provided by private insurance policies held by members or employees for which premiums are not paid for in part or in whole by the municipality.

(11) **Line-of-duty disability**. Any injury, illness or disability incurred in the line of duty shall be reported in writing by the concerned party to an officer; such report to be investigated by his supervisor. Final disposition as to line-of-duty injuries, illnesses or disabilities shall be made by the Chief after consultation with a physician. In each case of illness, injury or disability incurred in the line of duty, no firefighter shall be returned to duty until his ability to be placed on duty status is certified by proper medical authority, except that an officer may be returned to light duty by proper medical authority. Such light duty may be assigned by proper authority.

(12) **Respect.** On or off duty, in uniform or out of uniform, a member or employee of the Department shall extend the proper courtesy and respect toward all superior officers of the Department.

(13) **Instant action.** Every member of the department, regardless of rank or assignment, shall act instantly to protect life, liberty or property.

(14) **Rendering assistance.** Department personnel shall render assistance to all persons and fellow firefighter's who request it, so far as such assistance is consistent with their duties. Personnel shall cooperate with all other agencies engaged in the administration of firefighting or public welfare, affording them all the aid and authorized information such organizations are entitled to receive.

(15) **Duty to report information.** It shall be the duty of every member of the department to report to his commanding officer any information given to him in good faith by any citizen regarding matters that indicate the need for action.

(16) **Assisting fellow members of the department.** Members of the department are expected to be firm and calm in their actions at all times and, at times of peril, shall act together to protect each other from danger.

(17) **Knowledge of the Town**. Every member shall familiarize himself with the geography of the Town, including routes of public transportation, the location of streets, highways, bridges, public buildings and places, hospitals, courts, transportation offices and stations, prominent or important office buildings, large industrial plants or commercial establishments, and such other information as may be disseminated by superiors from time to time.

(18) **Handling money and property.** All money or other property coming into the possession of any member of the department through the normal course of their duty which is not his own shall be delivered to the proper custodian of the Department or to a superior officer, and a report shall be made of the transaction.

(19) **Knowledge of regulations.** Every member of the department shall have a copy of the standard operating guidelines of the East Greenwich Fire Department and shall be familiar with the provisions thereof.

(20) **Duty status.** Although certain workday hours are allotted to every member of the

department for the performance of specific workday duties, a member of the department shall be in an on-duty status at all times for the protection of life and property. A member shall be prepared at all times and under all circumstances to perform immediately whether or not the member is in uniform or off workday duty whenever the member is cognizant of a need for assistance. A member of the department shall be fit for duty at all times except when carried on a sick or injured report.

(21) **General knowledge and performance**. Every member of the department shall familiarize himself with all the laws, statutes, ordinances, regulations and protocols necessary for the proficient execution of his duty as a firefighter Any member who fails to perform efficiently his assigned duty may be charged with neglect of duty.

(22) **Reporting for duty.** Every member of the department shall report for duty and be present at the time and place specified by his commanding officer. He shall be properly equipped and shall be clothed in the prescribed uniform of the day.

(23) **Bearing.** A member of the department shall carry himself as befits a firefighter and the representative of the Town of East Greenwich.

(24) **Member to know identity of superior officers.** It shall be the duty of every member of the department to know the identity of his superior officers.

(25) **Duty to report false information.** It shall be the duty of every member of the department to report to his commanding officer any Department reports or statements of which he has knowledge and which he believes or knows to be false in whole or in part.

§ 100-16 Prohibited conduct.

A. The following acts by a member of the Department are prohibited or restricted:

(1) **Criminal conduct.** Commission of any misdemeanor or felony.

(2) **Conduct unbecoming an officer/firefighter.** Any specific type of conduct which reflects discredit upon the member as an officer/firefighter, upon his fellow firefighters, or upon the Fire Department he serves.

(3) **Neglect of duty.** Being absent from assigned duty without leave or failing to take suitable appropriate action when any incident requires his attention.

(4) **Insubordination.** Failure or deliberate refusal to obey a lawful order issued by a superior officer.

(5) **Unnecessary force.** The use of more physical force than that which is necessary to accomplish a proper purpose.

(6) **Discourtesy.** Discourtesy, rudeness or insolence to any member of the public. An officer/firefighter shall be courteous and tactful in the performance of his duties and shall control his temper, exercising the utmost patience and discretion, even in the face of extreme provocation.

(7) **Intoxicant, drugs, etc., possession.** A member or employee of the Department shall not

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bring, place or permit to be brought or placed, or allow to be kept in any building, location or vehicle within the Department any intoxicant, exhilarant, hypnotic, hallucinogen, or narcotic, except in the strict performance of his duty as required by regulations or orders or when it is needed for prompt administration by a licensed physician.

(8) **Use of intoxicants.** A member or civilian employee of the Department shall not drink intoxicating beverages or use intoxicants in any manner while on duty or in uniform. When off duty, the member or employee of the Department shall not drink intoxicating beverages to an extent that it would render one unfit for immediate duty.

(9) **Use of drugs.** A member or employee of the Department shall not use or render himself unfit for duty through the use of narcotics, exhilarants, hypnotics or hallucinogens or other toxic drugs unlawfully administered.

(10) **Undue influences.** Seeking the influence or intervention of any person outside the Department for purposes of personal preferment, advantage, transfer or advancement.

(11) **Recommending private services.** Recommending or suggesting in any manner the employment or purchase of any particular professional or commercial service or product, such as lawyers, bondsmen, undertakers, towing services or burglar alarm companies, except in the transaction of personal business.

(12) **Personal business.** Conducting personal business while on duty.

(13) **Department letterhead.** Use of the departmental letterhead for private correspondence or sending official correspondence out of the Department without the permission of the Fire Chief. No member or employee or the Department shall send any written communication about departmental business to any person, firm or other law enforcement or public agency without the consent of the Fire Chief.

(14) **Mailing address**. Use of the Department as a mailing address for private purposes, especially for the purpose of a motor vehicle license or registration.

(15) **Possessing keys to private buildings.** Having keys to private buildings or dwellings without the permission of the Chief.

(16) **Smoking**. A member of the department or a uniformed civilian employee shall smoke only in designated areas, but not while marching in uniform, standing in ranks, or under any condition which might bring discredit upon the Department.

(17) **Notices.** Altering, defacing or removing any posted notice of the Department. No notice shall be posted on the Department bulletin board without the permission of the Fire Chief or the officer in charge. A member or employee of the Department shall not mark, alter, mar or deface any printed or written notice, memorandum, general order or directive relating to departmental business. A member or employee shall not mark, alter, mar or deface any notice posted on any bulletin board or blackboard maintained by the Department. All notices of a personal nature and/or of a derogatory character regarding any member or employee of the Department are prohibited.

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(18) **Lost or damaged Department property.** Members or employees of the Department shall promptly report in writing to their commanding officer the loss, damage or unserviceable condition of any Department property assigned to them or under their control. The commanding officer shall forward the report to the Fire Chief through channels with a copy for his commanding officer.

(19) **Incompetence**. An officer shall maintain sufficient competency to perform his duty and to assume the responsibilities of his position. Incompetency may be demonstrated by the following:

(a) A lack of knowledge of the statutes, ordinances, regulations and protocols;

(b) An unwillingness or inability to perform assigned tasks;

(c) The failure to conform to work standards established for the officer's rank, grade or position; or

(d) Repeated poor evaluations or repeated infractions of the rules and regulations.

(20) **False information on records.** A member or employee of the Department shall not make false official reports, or knowingly enter or cause to be entered into any departmental books, records or reports, any inaccurate, false or improper information or material matter.

(21) **Misappropriation of property.** A member or employee of the Department shall not appropriate for his own use any lost, found or stolen property nor convert to his own use any property of the Town.

(22) **Statements concerning liability.** A member of the department shall not make any oral or written statements to anyone concerning liability in connection with the operation of fire apparatus or rescue vehicles or performance of other fire duties, unless specifically authorized to do so by the Fire Chief.

(23) **Soliciting petitions for promotion or change of duty.** A member of the department shall not solicit a petition for his promotion to a higher rank or a change in duty status, for the promotion or change of duty status of any other member of the department, or for the appointment of anyone to the department; nor shall a member of the department promote or cause to be promoted any political influence to effect such an end.

(24) **Distribution of cards, buttons, etc.** Members of the department, individually or representing fire organizations, are prohibited from issuing to persons, other than members of the department on the active or retired list, any card, button or other device which assumes or implies to grant to the person holding such credentials any special privilege or consideration so far as the business of the Fire Department is concerned. The distribution of any card, button or other device is prohibited unless authorized by the Fire Chief.

(25) **Unnecessary radio transmissions prohibited.** A member of the department shall not transmit lengthy descriptions or details of other lengthy information over the radio system unless circumstances prevent the member from making such transmissions

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known to the dispatcher by the use of a cell-phone or public telephone.

(26) **Release of telephone numbers.** No member or employee of the Department shall release to the public or any public agency the restricted home telephone number of any other member or employee of the Department without authorization from his immediate superior officer.

(27) **Incurring Department liability.** A member or employee of the Department shall not incur a liability chargeable to the Town unless with the knowledge and consent of the Fire Chief or a superior officer designated by the Fire Chief.

(28) **Dissemination of information.**

A. An officer/firefighter shall treat the official business of the Department as confidential and shall conform to the following guidelines:

a. Information regarding official business shall be disseminated only to those for whom it is intended, in accordance with established departmental procedures.

b. An officer shall not remove or copy official records or reports from a station except in accordance with established departmental procedures.

c. An officer/firefighter shall not divulge the identity of a person giving information except as authorized by proper authority in the performance of their official duties.

d. A member or employee of the Department shall not divulge to any unauthorized person, in or out of the Department, (i.e., one who does not have an official "need to know"), any information concerning the official business of the Department if such information would impair the public service of the Department or improperly interfere with the due administration of criminal justice, unless authorized by the Fire Chief.

(29) **Feigning illness.** An officer shall not feign illness or injury, falsely report himself ill or injured, or otherwise deceive or attempt to deceive any official of the Department as to the condition of his health.

(30) **Recording devices.** Any device used to record voices shall not be carried on the person of an officer/firefighter unless such recording device is issued by the Department or authorized by the Fire Chief.

(31) **Out of service**. A member or employee of the Department shall not leave his station or responsibilities when not on official departmental business without first obtaining permission of the officer in charge and reporting his leaving to the dispatcher or commanding officer.

(32) **Public criticism**. A member or employee of the Department shall not publicly criticize or ridicule the Department, its policies, or any other member or employee by talking, writing or expressing in any other manner, where such public criticism or ridicule would tend to impair the operation of the Department by interfering with its efficiency, would tend to interfere with the ability of supervisors to maintain discipline, or where such public criticism or ridicule is made with knowing or reckless disregard to the truth or

falsity of the matters asserted.

§ 100-17 Uniforms and appearance.

Members shall be neat in appearance and well-groomed while on duty in uniform. All articles of clothing shall conform to the departmental uniform regulations as established by the Chief. Civilian clothing shall not be worn with any distinguishable part of the uniform.

§ 100-18 Departmental property and equipment.

Equipment issued to members of the Department shall remain the property of the Department. Members and employees shall maintain departmental property and equipment assigned to them in good condition. Damaged or lost property may subject the responsible individual to reimbursement charges and/or appropriate disciplinary action. Members shall sign receipts for all issued equipment.

A. **Damaged inoperative property and equipment.** Members and employees shall immediately report to their commanding officer on designated forms any loss or damage to departmental property or equipment assigned to them. The immediate superior shall be notified of any defects or hazardous conditions existing in any departmental property or equipment.

B. **Care of departmental buildings**. Members and employees shall not mar, mark or deface any surface in any departmental building. No material shall be affixed in any way to any wall in departmental buildings without specific authorization from a commanding officer.

C. **Surrender of departmental property.** Members and employees are required to surrender all departmental property in their possession upon separation from the service or when otherwise ordered.

D. **Departmental vehicles**. A valid Rhode Island state driver's license is required of all members. Members shall not use departmental vehicles without permission of the commanding officer.

E. **Transporting citizens.** Citizens shall be transported in departmental vehicles only when necessary to accomplish a departmental purpose. Such transportation shall be done in conformance with departmental policy or at the direction of a commanding officer or immediate supervisor.

F. **Authorized equipment.** While on duty, a member shall carry only such equipment as is issued by the Department or authorized by the Fire Chief.

G. **Reporting accidents**. Accidents involving departmental property, personnel and/or equipment must be reported in accordance with procedures established by the Fire Chief.

H. **Upkeep of Standard Operating Guidelines** All members and employees who are issued the Standard Operating Guidelines are responsible for its maintenance and knowledge of its contents, and they are required to make appropriate changes or inserts as issued by the Chief. The manual shall be considered departmental property.

I. **Responsibility for items of identification.** Each member of the Department shall be responsible for the items of identification issued to him as a member of the department; badge, hat, name bar and identification card. He shall not permit any other person to borrow or use the items of identification issued to him by the Department. Any loss of such items shall be reported immediately by the member to his commanding officer, together with a written report of the circumstances leading to such loss.

§ 100-19 Regulations pertaining to the operation of fire apparatus.

A. **License requirements.** No person shall operate a departmental vehicle of any kind unless he has a valid Rhode Island driver's license.

B. **Authority to operate.** No person shall operate a departmental vehicle without receiving orders or permission from a superior entitled to give such orders or permission.

C. **Safe driving of apparatus.** The driver of any piece of apparatus shall operate the vehicle in a reasonable and safe manner, exercising due caution and judgment, and shall operate the vehicle in compliance with the motor vehicle laws and traffic regulations, except when responding to an emergency, during which time he will strictly adhere to the driving procedures established for the operation of emergency vehicles.

E. **Accidents involving fire apparatus.** All accidents involving any piece of apparatus shall be investigated by a superior officer who shall make a report and shall forward such report to the Fire Chief. The commanding officer of the operator involved in the accident shall subsequently submit a report to the Fire Chief setting forth his findings and recommendations relative to the responsibility or negligence on the part of the operator. This is in addition to any report and investigation conducted by the East Greenwich Police Department or other responding police department.

F. **Injuries inflicted to persons or property.** Whenever a member or employee of the Department is involved in an accident while operating a piece of apparatus or in any way injures a person or damages property, the member or employee shall immediately notify the superior officer in charge of the station.

G. **Responsibility for vehicle.** A member or employee of the Department who is assigned to duty as an operator of a departmental vehicle shall be responsible for the instant serviceability of the vehicle assigned to his use. Except when the vehicle is in emergency use, the member or employee shall inspect the vehicle when it is turned over to him and shall render a written report to his superior officer of any defect, damage or unserviceability of such vehicle. Furthermore, the member or employee shall inspect the interior of the vehicle for the presence of any unauthorized articles or things. Failure to inspect the condition of the vehicle upon receipt by the member or employee shall be regarded as neglect of duty.

H. **Operation of departmental vehicles.** No person shall use a departmental motor vehicle for the purpose of pushing another vehicle, nor shall a departmental motor vehicle be towed by another vehicle except by the towing facilities provided by the Department. No person shall operate a departmental vehicle that has a deflated tire or when there is evidence of an apparent mechanical defect.

I. **Unattended fire apparatus or vehicle.** The operator of a departmental motor vehicle

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shall lock the ignition and remove the key from his vehicle upon dismounting and, when leaving the vehicle unattended for more than a brief period, he shall lock the doors of such vehicle.

§ 100-20 Miscellaneous regulations.

A. **Fire week.** Each fire week will cover the period from midnight Sunday to midnight the following Sunday.

B. **Return of personal property to rightful owner.** Whenever any member or employee of the Department has an occasion to return personal property held by the department to the rightful owner or to the owner's authorized representative, the member or employee shall obtain from either the owner or the representative his signature on a standard receipt form. The receipt form shall include a brief description of the property, the reported value, the case number and the signature of the member or employee who makes the transaction. If the property has been listed on the standard property form, the member or employee shall cause the rightful owner or authorized representative thereof to affix his signature to the three copies of the standard property forms.

C. **Seniority.** A member's seniority status in the department for bidding purposes shall be determined according to the date of his appointment to his present rank. Where two or more members of the same rank are appointed on the same day, the member with the oldest original date-of-hire shall be the ranking member.

D. **Use of Department reports, records and communications.**

(1) All official communications to the Town Council or the Town Manager shall be forwarded through the Fire Chief.

(2) No written communication with reference to departmental business shall be made by any officer, firefighter or civilian employee to anyone, except upon the authority of a properly designated superior officer.

(3) Copies shall be made and filed of all correspondence sent from the Fire Department, and copies of all communications shall be retained in the office from which they are sent.

(4) A Department record shall not be removed from any building or office except with the permission of the Town Council, the Town Manager or the Fire Chief.

(5) Entries in Department records shall be made without unnecessary delay; they shall be accurate, concise and placed in chronological order by the person or persons designated to such duty. Erasures shall not be made, and, if corrections are to be made, an ink line shall be drawn through the incorrect matter and the corrections entered immediately above the deletion. The person making the correction shall affix his initials alongside the correction.

E. **Design of Department books, records and stationery.** All books, records or other printed forms used by the Fire Department shall be of a style and type approved by the Fire Chief. All books, records and files necessary for the proper operation of each division, bureau or unit of the Department shall be efficiently maintained by the division, bureau or unit.

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§ 100-21 Disciplinary actions.
The Fire Chief shall have the power to discipline the members and employees of the Department. The discipline shall be provided in accordance with the Standard Operating Guidelines, these rules and regulations and/or the General Laws of the State of Rhode Island. If a member is in a probationary status, he may be removed at any time with or without cause and without hearing by the Town Manager, with the approval of the Town Council and upon recommendation of the Fire Chief with no right of appeal. The Fire Chief shall be able to suspend without pay any officer or employee; however, any such suspensions over thirty days shall be subject to the Town Manager's approval.

Article III
Duties by Rank and Assignment

§ 100-22 Intent of list.

A. The following listed duties by rank and assignment are intended to list specific assignments which are delegated by the Chief to individuals within the Fire Department. They are not intended to preclude an individual from performing more than one assignment.

B. Each rank and assignment may also be assigned further duties as required by the Chief or proper authority.

§ 100-23 Chief.

A. **Summary.**

(1) The Fire Chief is the chief administrative officer of the Department and the final departmental authority in all matters of policy, operations and discipline. He exercises all lawful powers of his office and issues such lawful orders as are necessary to assure the effective performance of the Department.

(2) Through the Fire Chief, the Department is responsible for the enforcement of all laws coming within its legal jurisdiction.

(3) The Fire Chief is responsible for planning, directing, coordinating, controlling and staffing all activities of the Department. He is also responsible for its continued and efficient operation, for the enforcement of rules and regulations within the Department, for the completion and forwarding of such reports as may be required by proper authority and for the Department's relations with local citizens, the local government and other related agencies.

(4) The Fire Chief is responsible for training of all members of the Department. The Chief shall have general charge of the station house and all property of the Fire Department.

B. **Appointment.** The Fire Chief shall be appointed by the Town Manager with the approval of the Town Council.

C. **Rank.** The Fire Chief shall wear the insignia of that rank: 5 Gold Bugles on the collar of the uniform coat and overcoat and on the tabs of the shirt collar.

D. **Authority.** Subject to all pertinent laws, these rules and regulations, Town ordinances,

and the orders of the Town Manager, the Fire Chief shall have authority over all divisions of the Town Fire Department and over all of its members and any other non-uniformed personnel assigned to the Department. The Fire Chief may also promulgate to the Department such orders or instructions, written or oral, which are not inconsistent with the law, these rules and regulations, or any orders or instructions of the Town Manager. Orders to the Department shall be issued by the Fire Chief , by direction or approval of the Town Manager. Directives and other means of conveying the policies and commands shall be issued in the following forms: these rules and regulations, general orders, special orders, memorandums, manuals, bulletins and verbal orders.

E. **Succession.** In case of the extended absence or disability of the Fire Chief, the Town Manager shall appoint an acting Fire Chief with the approval of the Town Council.

F. **General duties and responsibilities.** It is the duty and responsibility of the Fire Chief to:

(1) Ensure compliance with all laws which the Department or its officers have the authority to enforce.

(2) Organize, direct and control all resources of the Department to protect life, persons and property.

(3) Develop a professional organizational structure for the Department.

(4) Establish a routine of daily duties to be performed by officers/firefighters. Designate an officer to serve as commanding officer in his absence.

(5) Assign, detail or transfer any member or employee of the Department to or from any unit or assignment whenever he shall deem such action to be in the best interest of the efficiency, discipline or morale of the Department.

(6) Institute an adequate and progressive program of training for members and employees of the Department.

(7) Ensure that all members have available to them copies of the Department's Standard Operating Guidelines.

(8) Promulgate all general and special orders of the Department and issue on his own authority orders, written and oral, not inconsistent with his powers, duties and responsibilities.

(9) Plan and execute programs designed to prevent fire, protect lives and property. Modify these programs to meet current trends.

(10) Provide for investigation into all cases of alleged or apparent misconduct by departmental personnel.

(11) Enlist the suggestions of members and employees of the Department to ensure maximum relevance and acceptance of all departmental regulations.

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(12) Keep himself informed as to the affairs of the Department, ensuring that the duties and responsibilities of members and employees are being properly discharged.

(13) Be responsible for the necessary delegation of authority to those under his command, commensurate with their duties and responsibilities.

(14) Exercise general supervision and inspection of all licensed public places within the community.

(15) Develop or adopt new techniques to improve effectiveness in the emergency response obligations of the Department.

(16) Be responsible for the preparation and justification of the annual departmental budget and for the control of all departmental expenditures.

(18) Maintain a personnel record system in which shall be kept all pertinent information on all departmental members and employees.

(19) Perform all other duties as assigned or required by the proper authority.

G. **Reports to Town Manager.** The Fire chief shall, within 30 days from the close of the fiscal year, report in writing to the Town Manager on activities of the Department for the previous fiscal year. In addition, he shall report to the Town Manager on such matters as the Town Manager deems necessary.

H. **Delegation of duties and responsibilities.** The Fire Chief may delegate some of his duties and responsibilities to appropriate persons within the Department, which delegation, in his opinion, will serve the best interest of the Town and the efficiency, discipline and morale of the Department.

I. **Establishment of departmental boards.** The Fire Chief, with the approval of the Town Manager, may appoint various members of the Department to serve on personnel boards and disciplinary hearing boards.

J. **Removal for cause.** Any member of the permanent fire force of the Town below the rank of Fire Chief may be removed for cause by the Town Manager with the approval of the Town Council and upon the recommendation of the Fire Chief.

K. **Conflict with the Town Charter.** To the extent that there is a conflict with any section of these rules the provisions of the Town Charter shall take precedence.

L. **Suspensions and demotions.** The Fire Chief, with the approval of the Town Manager, may demote any officer for cause. The Chief shall be able to suspend without pay any individual up to 30 days.

§ 100-24 Deputy Fire Chief.

A. **Summary.** Subject to the direction and control of the Chief, the Deputy Fire Chief is responsible for the supervision and control of all officers and is responsible for their efficiency and effectiveness as members of the Department.

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B. **Rank.** The Deputy Chief shall wear the insignia of that rank: 3 Gold Bugles on the collar of the uniform coat and overcoat and on the tabs of the shirt collar.

C. General duties and responsibilities. It is the duty and responsibility of a Deputy Fire Chief to:

(1) Familiarize himself with the authority delegated to him. Understand the responsibilities of those under his command.

(2) Coordinate the training of all members. Be sure that all officers/firefighters are knowledgeable of all new developments in federal law, state law and departmental regulations.

(3) Obey and transmit promptly all orders of the Chief, ensuring uniform interpretation and full compliance.

(4) Handle infractions of departmental standards. When a member of the Department has consistently refused to improve his conduct, despite efforts by the Deputy Fire Chief and other appropriate officers, a written report must be submitted. Full details of the incident or series of incidents shall be included in the report. Convey the report to the Chief with written comments on the situation and a recommendation for action to be taken.

(5) Assist in the administration of the Collateral Duty.

(a) Organize and conduct departmental training programs.

(b) Improve working conditions as may be necessary.

(c) Use personnel records and performance evaluations for individual guidance and improvement.

(d) Ensure the proper and economical use of manpower, property and equipment.

(e) Promote personnel safety.

(6) Examine reports for conformity with approved procedures as outlined by various departmental instructions.

(7) Ensure prompt reporting to other municipal agencies and outside authorities of any important matter within their jurisdiction.

(8) Keep members informed of all significant events or developments in firefighting which affect the Department. If changes or revision in any present practices of the Department seem advisable, submit an oral or written report to the Chief detailing recommendations.

(9) Inform authorized personnel of any other significant events or developments affecting the Department.

(10) Organize and assign duties to assure proper performance of division functions.

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(11) Perform such other duties as may be assigned by the Chief.

(12) Secure all Department-owned equipment or property from the possession of any member of his command who resigns, retires or is suspended, dismissed or hospitalized, or from the effects of any deceased member.

(13) Supervise departmental investigations.

§ 100-25 Captain

A. **Summary.** Subject to the direction from the Chief, the Captain has direct control over all members and employees of his Platoon. He is responsible for the direction and control of personnel under his command to assure the proper performance of duties and adherence to established rules, regulations, policies and procedures. He will provide for continuation of command and/or supervision during absence of his immediate superior.

B. **General duties and responsibilities.** It is the duty and responsibility of a Captain to:

a. Captains shall have full control of the firefighters (members of the four platoon system) under their supervision and the apparatus and equipment therein contained, and shall report to the Chief of the Department at once any injuries sustained by any firefighter and any damage which their apparatus may have sustained.

b. They shall have full charge of their personnel and apparatus at all alarms to which they respond and will be responsible for the conduct of personnel under them at all times.

c. They shall be responsible for the completion of all daily apparatus & equipment checks and house cleaning chores as required. They shall see that the beds are properly aired and made up each morning in an approved manner.

d. They shall read all general and specific orders and SOP's and see that every member assigned to the station becomes familiar with the same. They shall have immediate command of their personnel; and be directly responsible for its discipline and condition; and also for the proper care of the apparatus and other equipment in his/her charge; assume command at fires or other emergencies when he/she is the first to arrive and exercise command and control until relieved by a superior officer or until the incident is terminated.

e. The Captain shall report in writing to the Chief of the Department all accidents that may occur, giving, if possible, the names of persons by whom the facts in the case can be proven. Accidents to personnel and any missed run to any alarm or other emergency shall be reported in like manner.

f. They shall see that all of the apparatus under their command whether in service or not, is kept in proper condition and ready for immediate use. In case any apparatus in his/her care is at any time in need of repairs, such fact shall be immediately reported to the Chief of the Department.

g. They shall assign each member of their shift to perform such portions of work at station quarters as he/she may consider proper, being careful to apportion to each member as equal a share as possible.

h. The Captain shall report in writing to the Chief of the Department any incapacity,

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neglect of duty, insolence, disobedience of orders, inefficiency or violation of Department rules, regulation or order on the part of any member of which he/she may have knowledge.

i. They shall see that electricity and fuel are used with economy and that lights are not burned in stations when unnecessary and shall be held responsible for any waste of either fuel, electricity or water.

j. They shall conduct themselves in an exemplary manner at all times since his/ her example will determine the pattern followed by the personnel in his/her charge.

k. They shall be responsible for all records and reports of all incidents to which they respond, prior to the end of their shift.

l. They shall in cooperation with the Department Training Officer conduct or assist the training officer in conducting Department training and drill from time to time.

m. The Captains shall perform such other and further legitimate duties as the Chief of the Department may determine.

n. When the Chief and/or Deputy Chief are not present at the scene of an emergency, the permanent captain shall be in command of the emergency until such time as the Chief and/or Deputy Chief arrive at the scene.

o. Perform such other duties as may be assigned by the Chief.

§ 100-26 Lieutenant.

A. **Summary.**

(1) A Lieutenant occupies the first level of supervision in the Department. Their primary responsibility is exacting the proper performance of the firefighters assigned to duty within the area subject to their supervision. The Lieutenant is charged with ensuring compliance with the Department's regulations. They handle all infractions and report all violations to their superior.

(2) They shall thoroughly acquaint themselves with the duties of firefighters and shall assist and instruct the officers under their supervision in the proper discharge of their duties. They shall be responsible for the proficiency, discipline, conduct, appearance and strict attention to duty of all firefighters under their supervision.

B. **General duties and responsibilities.** It is the duty and responsibility of a Lieutenant to:

a. Lieutenants shall have the same duties and responsibilities as described above for Captains.

b. The lieutenants shall perform such other and further legitimate duties as the Chief of the Department may determine.

c. When the Chief, Deputy Chief and Captain(s) are not present at the scene of an emergency, the permanent lieutenant shall be in command of the emergency until such time as the Chief, Deputy Chief or Captain(s) shall arrive at the scene.

d. Members of the East Greenwich Fire Department, up to the rank of Lieutenant who are ordered to assume the responsibilities of a higher rank shall be compensated for this service at out of rank pay which shall be the hourly rate of

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the officer for whom said member is assuming the responsibilities for. In the case of a firefighter who assumes command of a platoon in the absence of a Captain, he shall be compensated at the rate paid a Lieutenant.

e. Perform such other duties as may be assigned by the Chief.

§ 100-27 Fire Prevention, Inspection and Investigation Division (Fire Marshal)

A. Summary. Under the authority of the Rhode Island State Fire Marshal, the Fire Marshal shall enforce and perform the duties required by the Comprehensive Fire Safety Act, and all other provisions of the general and public laws insofar as such powers and duties relate to fires, fire prevention, fire protection, fire inspection, fire investigation, fire training and public education programs. The Fire Marshal also serves as the fire department representative at all Technical Review Committee meetings to ensure early development input. The mission of the Fire Prevention Division is the comprehensive, professional, and consistent enforcement of the Fire Safety Code to ensure that the minimum requirements necessary for fire and life safety are met. This requires the Fire Marshal to perform the roles of code enforcement official, fire investigator and educator.

Fire prevention activities that are provided by the Department are part of a comprehensive plan to protect life and property from fire and other hazards. Code enforcement, pre-construction plan review, public fire education and the investigation of fires are all components of the prevention plan. The Fire Marshal and other certified members are responsible for implementing and managing activities in this Division. The Office of State Fire Marshal certifies staff serving in these positions.

Inspections of commercial occupancies are conducted to monitor and rectify conditions that may cause fire situations or the spread of fire. The primary objective of these inspections is to ensure the safe egress of occupants or employees who may be endangered by fire or its byproducts. Personnel from the Fire Marshal's office work in cooperation with building, planning and zoning and, potential commercial and residential property owners in order to facilitate proper certifications for occupancy. It is also the responsibility of the Fire Marshal to enforce all aspects of local, state and federal regulations/codes pertaining to fire and life safety compliance.

B. Plan Review. Any person, including any partnership, corporation or association, undertaking the erection, extension, alteration, repair, or moving of a structure, or undertaking any changes that may affect the fire safety or fire alarm system of a building or any portion thereof, shall be required to make application for plan review to the East Greenwich Fire Prevention Division. Said application shall be made prior to the start of any construction or work, and shall be accompanied by the proper fee or fees as described in subsection hereof. All rough and final inspections, as necessary shall be considered as part of the plan review fee and will not be charged separately. No construction or work shall be started until the required application has been approved by the fire prevention office.

A plan review application must be submitted along with the initial plans. When filling out this application, be sure to fill out all sections completely before submitting. In his code enforcement role, the Fire Marshal conducts a review of all submitted plans to

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determine the adequacy of the plans before starting a formal review. If the plans submitted are complete and satisfactory, they will be accepted and the formal review process will begin. All fees for such reviews shall be in accordance with RIGL 23-28.2-26 Plan review fees.

- In all matters relating to plan review, the interpretations and decisions of the Town's fire prevention division shall be binding. If the applicant disagrees with the decision of the fire prevention division, the applicant may request a variance or seek appeal to the Rhode Island Fire Safety Code Board of Appeal and Review.

- The fire marshal shall perform smoke and carbon monoxide detector inspections in all residential occupancies shall, at the time of inspection, be allowed to charge a thirty dollar ($30.00) fee for the inspection of any residential occupancy. The responsibility of this charged fee will be borne by the seller on each occurrence before title to the property is transferred. A thirty dollar ($30.00) fee will be allowed for any subsequent re-inspection of the same residential occupancy due to improper installation, wrong location, improper wiring method, or the seller's failure to maintain a mutually agreed upon appointment with the fire marshal. The fees collected by the fire marshal shall be used for fire prevention purposes.

The following residential/commercial/businesses are inspected by the East Greenwich Fire Marshal:

- All elementary, secondary and high schools (K-12).
- Private colleges
- Retail gas stations and service stations
- Apartment houses
- Theaters
- Hotels and motels
- Bed and breakfast buildings
- Lodging or rooming houses
- All industrial occupancies
- All private business occupancies
- All private mercantile occupancies
- All private storage occupancies
- All Town licensed and registered businesses per Town ordinance
- Rough and final commercial and residential inspections from plan review

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- Complaints related to code violations

C. Investigations

The Fire Marshal is authorized by statute to respond to any fire or apparently attempted fire and investigate the cause or origin of the fire. He will also request the State Fire Marshal respond to every fire of suspicious origin and any fire that results in a fatality. The Marshal responds to all building fires as well as when requested by the responding fire officer. All investigators follow industry guidelines to establish the cause and determine whether the fire will be classified as accidental, incendiary, natural, or undetermined. Due to the complex nature of fire investigation, the Marshal often works closely with other local, state, and federal agencies.

The investigations of all fires are conducted to determine cause and origin of ignition. This information is required in order to prevent the occurrence of future fires or at the least, reduce the severity of such incidents. If a fire is determined to be of suspicious origin, a thorough investigation is intended to prosecute the guilty party. In this case, the investigation becomes a deterrent to the crime of arson. When necessary, the Fire Marshal may utilize the expertise of mutual aid fire investigators, members of the Rhode Island State Fire Marshal's Office or agents from the Bureau of Alcohol, Tobacco and Firearms or Federal Bureau of Investigation.

§ 100-28 Firefighter

A. **Summary.** Essential Job Functions of the Firefighter/EMTC

B. **Physical Demands.** The physical demands described herein are representative of those that must be met by a member assigned to the four-platoon system of the East Greenwich Fire Department.

1). Ascending or descending ladders, stairs, scaffolding, ramps, poles, ropes, and the like, using the feet or legs and/or hands and arms.

2). Maintaining body equilibrium to prevent falling when walking, standing, crouching, or running on narrow slippery surfaces.

3). Bending the body downward and forward by bending the spine at the waist.

4). Bending the legs at the knees to come to rest on the knee or knees.

5). Bending the body downward and forward by bending at the legs and spine.

6). Moving about on the hands and knees or hands and feet.

7). Extending the hands and arms in any direction.

8). Handling, seizing, holding, grasping, turning or otherwise working with the hand or hands (fingering not involved).

9). Picking, pinching or otherwise working with the fingers primarily (rather than with

the whole hand or arm as in handling).

10). Perceiving such attributes of objects and materials as size, shape, temperature, or texture, by means of receptors in the skin, particularly those of the fingertips.

11). Considerable ability to lift ladders, lift and maneuver equipment and to maintain one's balance with heavy loads and under adverse conditions.

C. **Firefighter Tasks (may use one or more of the above physical demands)**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

1). Use hose, bucket, sponge, brush and water to clean the exterior and interior of fire apparatus.

2). Use writing material for the purpose of maintaining the daily log and to record and document other pertinent information.

3). Read and comprehend complex technical manuals and Standard Operating Guidelines.

4). Read and quickly identify placarded materials at the scene of a fire or hazardous materials incident.

5). Use an appropriate wrench; operate the control nut on a fire hydrant for the purpose of starting and stopping the flow of water from the hydrant.

6). Given the appropriate personal protection uniform and clothing, rapidly don and remove this equipment.

7). Advance various size fire hose of various lengths into hazardous, undesirable, and normal atmospheres under normal and emergency circumstances.

8). Advance various size fire hose of various lengths over coarse and rugged terrain and into buildings of various heights and configurations.

9). Remove a smoke ejector from its storage place on the vehicle and carry it to where it will be utilized, including up stairwells and ladders.

10). Rapidly enter the area where the back step person will be riding on the vehicle while wearing full protective clothing, secure safe riding position and don the self-contained breathing apparatus, and safely exiting the apparatus.

11). Operate a fire department vehicle safely at a speed that may exceed the posted speed limit through traffic, which may be sparse or congested.

12). Communicate effectively and coherently over fire department radio channels while

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initiating and responding to radio communications.

13). Direct a stream of water or chemical onto a fire.

14). Remove a ladder from a fire truck and position the ladder against a structure for the purpose of gaining access.

15). Use mathematical skills to determine ladder placement, hydraulics and pump pressure equations and other fire-related mathematical problems.

16). Using mechanical ability, determines proper nozzle selection, hose couplings and hose selection.

17). Climb a ladder to gain access to the upper levels of a building.

18). Assist individuals from a burning structure by stairway, elevator or ladder.

19). Use axe, chisel, power tool or other device to create an opening in buildings for the purpose of ventilation or gaining entrance.

20). Administer first-aid and mechanical or artificial respiration to persons overcome by fire, smoke or other toxins.

21). Using proper body mechanics and with the assistance of another person, remove, maneuver, manipulate mechanical stretcher.

22). With another person, using proper body mechanics, place the victim of an accident or illness on a mechanical stretcher and then manipulate, maneuver and pick up the stretcher and place it into the rear of a rescue vehicle.

23). Perform rescue operations which may involve quickly entering and exiting fire department vehicles; lifting, carrying and dragging heavy objects; climbing over and pulling oneself over obstacles, ditches, streams; crawling in confined areas and or spaces; balancing on uneven or narrow surfaces and using body force to gain entrance through barriers.

24). Climb the full length of ground and aerial ladders.

25). Climbing the full length of ground and aerial ladders carrying firefighting tools or equipment while ascending and descending.

26). Lift, drag, bend and fold various size hoses for the purpose of packing the hose beds of fire apparatus.

27). Using the appropriate tools, open ceilings, floors, walls to expose hidden fires and pull apart burning materials for the purpose of extinguishment.

28). Comprehend and interpret tables relating to hydraulics, flash temperatures, friction loss, etc.

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29). Operate as both a member of a team and as an individual at situations of uncertain duration.
Spend extensive time outside exposed to the elements.

30). Tolerate extreme fluctuations in temperatures while performing duties. Temperatures may reach 400 degrees Fahrenheit in humidity that may reach 100%. Members shall be able to tolerate these conditions while wearing protective equipment.

31). Work in wet, icy, and muddy conditions.

32). Must be able to perform all duties on slippery or hazardous surfaces.

33). Work in areas that may pose serious health risks to an individual (toxic substances, infectious diseases, and other dangerous substances).

34). Be able to function in all of these listed duties while wearing protective clothing weighing approximately 50 pounds.

35). Perform physically demanding work while wearing positive pressure breathing equipment.

36). Perform complex acts and make life or death decisions in times of emergency conditions.

37). Perform functions in the face of grotesque sights and smells attributable to major trauma or burn victims.

38). Make rapid transitions from rest to near maximal exertion without warm-up periods.

39). Perform all duties while in conditions of high noise, poor visibility, limited mobility, at heights, and in enclosed or confined spaces.

§ 100-29 Emergency Medical Services Division

A. **Summary.** The Department is licensed by the State of Rhode Island, Department of Health (RI DOH) to provide Advanced Life Support services to EMS incidents. This service is administered through the use of RI-DOH licensed Basic/Advanced Life Support Engine's and Rescue's. Every fire engine and rescue is equipped with the minimum level of supplies to provide either Basic or Advanced Life Support care or treatment as required by RI-DOH.

In accordance with the RI-DOH all personnel are certified to the levels of Emergency Medical Technician - Cardiac (EMT-C) or Emergency Medical Technician - Paramedic (EMT-P). Members assigned to the Operations Division are expected to perform all of the aforementioned fire service functions, as well as provide emergency care under the guidelines set forth in the RI-DOH Pre-Hospital Care Protocols and Standing Orders.

Requests for either fire or emergency medical assistance are channeled through the Department's Dispatch Center that is operated out of the Headquarters station; daily supervision of the center is through the command staff of the Department. The Department uses a standardized protocol to dispatch apparatus to Fire and EMS incidents.

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B. **Rescue Billing Fees**

Each individual or medical insurer of such individual receiving emergency medical services in the Town shall be billed for such service in an amount to be annually adjusted by the Town Manager. Town residents will not be billed for services rendered beyond what is paid by their medical insurance. If a Town resident does not have medical insurance that Town resident will receive this service free of charge. Applications for relief due to personal hardship may be approved by the Town Manager or his designee

C. **EMS Coordinator**

Summary. To analyze, plan, design, implement, and administer EMS programs as well as other department and community oriented programs, including Advance Life Support (ALS), Basic Life Support (BLS), Quality Assurance/Quality Improvement (QA/QI), problem resolution, EMS certification, liaison to other EMS entities and other education and improvement programs. The EMS Coordinator shall have overall supervision and coordination of the East Greenwich EMS Division.

D. **Supervision Exercised:** Supervises all personnel involved with EMS operations or EMS training, either directly or through other subordinate officers or personnel.

E. **Essential Duties and Responsibilities:**

1. It shall be the duty of the EMS Coordinator to perform, conduct, and/or schedule ongoing emergency medical education and training for the department, provide EMT refresher training to the district employees, provide CPR re-certification to the department employees, assist in compiling and filing all rescue/medical billing, assist with all aspects of the EMS division to include the coordination of the preventive maintenance and repairs for all EMS vehicles and equipment, assist the apparatus/equipment committee in drafting specifications for all new EMS vehicles and equipment, train all employees on the safe and proper use of all existing and new EMS apparatus and equipment, provide and maintain an annual employee vaccinations program for communicable diseases, develop and maintain a risk control program for all aspects of infection control, blood borne and airborne pathogens.
2. Assist with investigating and follow-up on all service related complaints.
3. Develop SOP's and SOG's as needed to guide EMS operations.
4. Serve as a liaison between the Fire Department and hospitals, medical direction authorities and other outside agencies regarding EMS activities.
5. Maintain and purchase an inventory of expendable supplies for Town facilities, Police Department and Fire Department.
6. Maintain, purchase and rotate stock on supplies in all first aid kits, Automated External Defibrillator's
7. Performs related duties as assigned.

F. **Peripheral Duties:**

Attend training conferences and training meetings to keep abreast of current trends in the field; represent the Fire Department at all local, state and other meetings related to Emergency Medical Services.

G. **Qualifications:**

The EMS Coordinator must be a current RI EMS Instructor- Coordinator or must become a RI EMS Instructor- Coordinator by taking the next available class.

§ 100-30 Dispatcher.

A. **Summary.** It shall be the responsibility of the Dispatcher to receive emergency calls from the public and to promptly and accurately dispatch the right type and number of emergency apparatus to the scene of an incident.

1. The dispatcher shall be responsible for keeping track of the whereabouts of department apparatus at all times, whether on the air, in quarters, at the hospital etc. This is vitally important to efficient and accurate dispatching as well as to the safety and well-being of all personnel

2. The Dispatcher is to keep the Dispatch Office clean and orderly and keep all distractions in the office to a minimum. In order to maintain a distraction free environment there shall be no unnecessary loitering in this area. The duty dispatcher shall have the authority within reason to clear the room of any unnecessary personnel at any time in order to maintain this environment.

3. The Dispatcher shall be responsible for duties posted and all tasks as set forth by the Chief.

4. The dispatcher shall notify the Chief and Deputy Chief of all working fires and any major incident.

5. The Dispatcher shall be responsible for immediately notifying the Director of Communications of any abnormal condition, malfunctioning circuits, instruments or equipment, which might result in the impairment of receipt or transmission of alarms, this includes damage to utility poles with fire alarm and/or communications cable attached.

6. No member of this department shall tamper with any communications, fire alarm, or electronic equipment under the control of the Communications Division. No personnel shall try to repair or alter such equipment in any way. If a problem exists the Director of Communications or their designee shall be notified immediately. If neither can be contacted, a Chief Officer shall be notified.

7. The dispatcher shall be the only individual who answers the radio or dispatch phones. This is to prevent confusion and maintain continuity in communication. The only exception to this is when the dispatcher is occupied with an emergency phone call and additional calls are being received and when multiple dispatchers are posted during a major incident. When the dispatcher must leave the dispatch center, they shall ensure that someone is there to cover the assignment until they return.

8. The two recorded desktop Cisco Phones and the four back-up phones on the wall in the dispatch center are intended to be used for emergency calls and related business only. They shall not be used at any time for personal calls. The only

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exception to this is when the dispatcher is unable to leave the desk to make a call elsewhere in the building.

Section 2. This ordinance shall become effective upon adoption.

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TOWN COUNCIL AGENDA TRANSMITTAL FORM

Town Council Meeting Date: **7/10/2017**

1. Agenda item (List as it should appear on the agenda)
   Release of Fry Brook Condominium Project Performance Bond

2. Submitted by (List department and individual, if necessary)
   Planning

3. Provide a brief description of the item and why it is on the agenda
   Fry Brook Developer negotiated the bond release upon project completion or upon posting of cash in escrow as part of a recent subsequent project approval (Residences at Middleberry). Cash has been received so the developer is now eligible for release.

4. Contact person and phone number for questions
   Lisa Bourbonnais 886-8644 or Joe Duarte 886-8615

ATTACHMENTS:

Description	Type

TOWN COUNCIL AGENDA TRANSMITTAL FORM

Town Council Meeting Date: **7/10/2017**

1. Agenda item (List as it should appear on the agenda)
   Application for a NEW Victualing License for Guruhari LLC. d/b/a Sunny Hill Convenience Store, 1002 Main Street (formerly Sunnybrook Farms).

2. Submitted by (List department and individual, if necessary)
   Town Clerk

3. Provide a brief description of the item and why it is on the agenda
   Convenience Stores require victualing licenses approved by Town Council. All administrative approvals have been met.

4. Contact person and phone number for questions
   Elaine Vespia, Town Clerk's Office 401-886-8603

ATTACHMENTS:

Description	Type
Application Form	Application

Town of East Greenwich, Rhode Island
Town Clerk's Office, 125 Main Street, PO Box 111, East Greenwich, RI 02818
(401) 886-8605

APPLICATION FOR VICTUALING LICENSE
DECEMBER 1, 2016 to NOVEMBER 30, 2017
(Pursuant to provisions of RIGL Section 5-24-1)

☐ **RENEWAL** ☑ **NEW**

BUSINESS NAME GURUHARI LLC

(D/B/A) Sunny Hill Convenience Store

LOCATION OF BUSINESS 1092 Main St. East Greenwich RI 02818

BUSINESS ADDRESS (If different than location) _____

TELEPHONE 401-398-2016 / 429-8863 **HOURS OF OPERATION** 6:00 am to 10:00 pm

SOLE PROPRIETOR (PRINT NAME, ADDRESS AND DATE OF BIRTH):

NAME	ADDRESS	DATE OF BIRTH
TARABEN PATEL	100 Stockton St Chelsea MA 02150	09/13/1955

CORPORATIONS/PARTNERSHIPS (PRINT NAME, ADDRESS AND DATE OF BIRTH of all partners or principal officers and stockholders):

NAME	ADDRESS	DATE OF BIRTH

DESCRIBE TYPE OF OPERATION (Restaurant, Bakery, etc.): Convenience Store

Is your operation and storage area all on one floor? Yes ☑ **No** ☐

Seating capacity _____ **No. of Dining Rooms** _____ **No. of Kitchens** _____

RI RETAIL SALES TAX PERMIT NO. 82-1842784

I HEREBY CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SIGNATURE OF APPLICANT: T.R. Patel **DATE:** 07-05-2017

NOTE: INSPECTIONS BY THE RI HEALTH DEPT, BUILDING INSPECTOR AND FIRE MARSHAL ARE REQUIRED. NO ACTIVITY WILL BE AUTHORIZED UNTIL SATISFACTORY CERTIFICATES ARE OBTAINED. ALL TAXES MUST BE PAID.
(A victualing house is a business where food is prepared and/or consumed on the premises.

Office Use Only

Date Approved by Council:	Date License Issued:
Fee Paid: $75.00 PAID CASH 7/5/17 EMW	Date License Expires:
Extended Hours (1 AM – 4 AM) $100.00	
License Issued By:	

Summer's End In House Expenses Field rental cost: None Insurance: Provided by Summer's End Committee

Department	Overtime Rate	Staff	Friday Hours	Total	Overtime Rate	Staff	Saturday Hours	Total
Fire	$40.00	2	4	$320.00				$320.00
Police	$46.58	8	8	$2,981.12				$2,981.12
Parks & Grounds	$31.35	2	11	$689.70	$31.35	2	18	$1,128.60
Parks & Grounds	$31.35	2	4	$250.80	$31.35	2	4	$250.80
Highway	$31.35	1	3	$94.05				$94.05
TOTAL				**$4,335.67** (Friday Event) Waived				**$4,774.57** (Saturday Rain Date) Waived

Festival Permit $100-waived
Liquor License $25-waived

*Parks & Grounds has 2 staff working the event at regular time when the event is on Friday. That time is not accounted for here.
$20.90 x 2 x 7 hours = $292.60

Main Street Association

Outdoor Movie	Swift Rental Cost: $100-waived	Insurance: Waived-Town is a co-sponsor in name only	Staff Fees: Paid by Main St. Ass.
Egg Hunt	Field Rental cost: None	Insurance: Waived-Town is a co-sponsor in name only	Staff Fees: None
Turkey Trot	Facility Rental cost: None	Insurance: Provided by Race Organizer used by Main St. Ass.	Staff Fees: Paid by Main St. Ass.

Farmer's Market

	Facility rental cost: None	Insurance: Waived-Town is a co-sponsor in name only Vendors carry their own insurance naming the Town as additional insured, which is managed by Tracy Truesdale.	Staff Fees: None

Information for East Greenwich Town Council Agenda on Monday, July 10, 2017:

The Main Street Association of East Greenwich hosts an annual Outdoor Movie on Academy Field (behind the Swift Community Center) during the summer. The 2017 event is scheduled for Saturday, August 12th with a rain date of Sunday, August 13th. The Town has previously allowed the Association to use the Town's liability insurance for the event. Attendees of the outdoor movie use restrooms located in the Swift Community Center. The Association has not previously paid a rental fee to use the restrooms. The rental fee is currently $100. The Association has always paid the Town Agent fee. A Town Agent is an East Greenwich employee from either the Department of Public Works or the Parks and Recreation Department who is on site during the entire event (including set up and break down).

Sincerely,

Erin McAndrew
Director of Senior and Human Services
Town of East Greenwich
401-886-8669, ext. 1

Summer's End In House Expenses Field rental cost: None Insurance: Provided by Summer's End Committee

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Farmer's Market

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Summer's End In House Expenses Field rental cost: None Insurance: Provided by Summer's End Committee

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Farmer's Market

	Facility rental cost: None	Insurance: Waived-Town is a co-sponsor in name only Vendors carry their own insurance naming the Town as additional insured, which is managed by Tracy Truesdale.	Staff Fees: None

TOWN COUNCIL AGENDA TRANSMITTAL FORM

Town Council Meeting Date: **7/10/2017**

1. Agenda item (List as it should appear on the agenda)
   Report from Town Manager on Municipal Salary Review and Departmental Overtime Report as requested by Council.

2. Submitted by (List department and individual, if necessary)
   Legal

3. Provide a brief description of the item and why it is on the agenda

4. Contact person and phone number for questions
   Dave D'Agostino 647-1400

TOWN COUNCIL AGENDA TRANSMITTAL FORM

Town Council Meeting Date: **7/10/2017**

1. Agenda item (List as it should appear on the agenda)
   Discussion of Town Manager position.

2. Submitted by (List department and individual, if necessary)
   Legal

3. Provide a brief description of the item and why it is on the agenda

4. Contact person and phone number for questions
   Dave D'Agostino

TOWN COUNCIL AGENDA TRANSMITTAL FORM

Town Council Meeting Date: **7/10/2017**

1. Agenda item (List as it should appear on the agenda)
   Review Town Consolidation proposal and One Town.

2. Submitted by (List department and individual, if necessary)
   Legal

3. Provide a brief description of the item and why it is on the agenda

4. Contact person and phone number for questions
   Dave D'Agostino

MEMORANDUM OF AGREEMENT

Between

EAST GREENWICH SCHOOL COMMITTEE ("Committee")

and

EAST GREENWICH TOWN COUNCIL ("Council")

WHEREAS during the course of the fiscal year 2018 ("FY18") budget discussions and deliberations, the Committee submitted its proposed budget to the Council seeking a 4% increase in its overall appropriation from its FY17 appropriation; and

WHEREAS, in order to reduce the tax burden to its residents, the Council voted to pass its FY18 budget that did not provide for any increase in its appropriation to the Committee for the operation of the Town's public education system; and

WHEREAS, in light of the level funded budget passed by the Council, the Committee attempted to balance its budget to avoid any projected deficit for FY18 by examining its line items and making reductions in certain expenditures, including personnel and programs; and

WHEREAS, both the Committee and the Council are cognizant of the Committee's obligation under law to provide a level of educational programs and services consistent with the Basic Education Program and other mandates of federal and state law; and

WHEREAS, the Council is cognizant of its obligation to provide for a maintenance of effort funding, including all legal and contractual obligations of the Committee; and

WHEREAS, the Council and Committee support the One Town plan, which is codified in the budget appropriation as part of the FY18 budget as approved by the Council and Committee; and,

WHEREAS, in light of the above, the parties worked diligently with the Council's auditor to restore in the Committee's proposed budget certain programs and related expenditures the Superintendent and the Committee recommended maintaining. In so doing, the Council agreed to shift and assume with the Town-side budget certain fiscal obligations of the Committee, consisting primarily of salaries for certain School Department personnel, all of which are identified in the chart below, and all of which were passed and approved in the Council's final FY18 operating budget; and

	Salaries Transferred to Town (paid by Town) Net of Curriculum Director				
Name	Trans Date	Job	FY18 Annual	FICA	TOTAL
Chris Spagnoli/Linda Dykeman	07/01/2017	Bus Ops O	116,154.95	3,976.84	120,131.79
Vic Babson	09/01/2017	Data Proc	83,596.34	6,395.12	89,991.46
Rose Emilio	07/01/2017	Bus Ops O	54,386.95	4,160.60	58,547.55
Stephanie Russo	07/01/2017	Bus Ops O	60,785.17	4,650.07	65,435.23
Andrew Mello	09/01/2017	Data Proc	41,583.58	3,181.14	44,764.72
Gregory Rumowicz	09/01/2017	Data Proc	52,965.52	4,051.86	57,017.39
Donna Wayles	09/01/2017	Data Proc	38,945.06	2,979.30	41,924.36
			448,417.57	29,394.94	477,812.51

	100% Town Responsibility				
Object		Description	FY18 Budget (Adjusted)	FY18 Budget (Original)	Total
54204		Grounds keeping*	-	27,600	27,600
54201		Rubbish Disposal*	-	500	500
52501		Unemployment*	-	17,300	17,300
52201		EAP*	-	4,489	4,489
					49,889

NOTE: The cost for Fire/Police Details have been eliminated by Council Resolution.
NOTE: Items with (*) are fixed amounts and any cost in excess of the stated amounts shall be the sole responsibility of the School Department.

WHEREAS, in reliance on the representations made by the Council and its auditor that it would assume the above-identified expenditures, on June 20, 2017 the Committee amended its proposed budget to conform to the level-funded appropriation by the Council.

NOW THEREFORE, in consideration of the mutual covenants contained herein, the sufficiency of which is hereby acknowledged by the Committee and the Council, and intending to be legally and equitably bound hereby, the parties agree as follows:

1. For the duration of FY18, and in furtherance of the One Town plan, the Council will assume the obligations of the Committee set forth in the chart above totaling approximately $527,701.51.

2. Upon presentation to the Council by the Committee of demonstrated need to increase the appropriation related to special education services, as identified in the budget line items below, the Council shall make a supplemental appropriation.

Special Ed - Reductions per Town commitment to subsequently fund documented need				
Object	Description	FY18 Budget (Adjusted)	FY18 Budget (Original)	Variance
53220	Other Purchased Prof Ed	598,850	672,259	73,409
53417	Contracted Nursing Svcs	173,850	247,200	73,350
55610	Tuition to Other School Districts	100,000	111,830	11,830
55630	Tuition to Private Sources	1,091,395	1,246,432	155,037
55640	Tuition to Educational Services	70,000	115,500	45,500

3. The Council may also consider funding additional line items in the Committee's budget, such as sewer charges, but such requests will not be binding and will only be considered on a case-by-case basis.

4. The Committee will continue to pay required health care and pension contributions for the employees and/or positions identified above, according to contract or law.

5. The Council acknowledges that the above positions are School Department employees and as such report to and take instruction from the Superintendent in the performance of their respective duties on behalf of the School Department.

6. The terms of this Memorandum of Agreement may only be amended in writing upon mutual assent of both parties.

EAST GRREENWICH SCHOOL COMMITTEE

_____
By: Carolyn Mark, Chairperson

_____
Date

EAST GREENWICH TOWN COUNCIL

_____
By: Suzanne McGee Cienki, President

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Date