

## **ORDINANCE NO. 12-XX**

### **AN ORDINANCE IN AMENDMENT OF CHAPTER 14 OF THE CODE OF ORDINANCES, TOWN OF NORTH KINGSTOWN, ENTITLED, "PERSONNEL"**

The Town Council of the Town of North Kingstown hereby ordains:

**SECTION 1.** That Chapter 14 of the Code of Ordinances, Town of North Kingstown, is hereby amended by adding the following new section thereto:

#### **Sec. 14-26. Organization of the Fire Department**

##### **(a) Introduction**

- (1) The Town of North Kingstown stands in fiscal crisis and has incurred over \$3.44 Million in structural losses of state aid since FY2008, not including reductions in unrestricted state aid to the School Department.
- (2) The Town incurred over \$2.1 Million of losses in state aid in FY2012 alone, and it anticipates having to expend upwards of \$375,000 from its general fund balance in FY2012 to balance the budget.
- (3) The Town's unfunded liability arising out of the other post employment benefits ("OPEB") it is obligated to provide to current and future retirees is \$34,510,724 and growing, and \$10,718,289 (or 31%) of that unfunded debt is attributable to the Town's Fire Department.
- (4) Municipal services have been cut to minimize costs, yet taxes have consistently increased by levels that residents cannot and should not have to endure. Most paid fire departments in America operate with a 3-division structure for line firefighting and rescue personnel.
- (5) The Town can realize an estimated reduction in costs of \$1.2 Million in its first full year of implementation by changing to a 3-division structure in its line fire/rescue operations without any layoffs or reductions in salaries, with even greater savings expected through anticipated reductions in overtime costs and the Town's annual required OPEB contribution.
- (6) All available scientific studies show that a 3-division structure, operating in conjunction with a shift schedule in which firefighters are on-duty for twenty-four consecutive hours followed by forty-eight hours off-duty, enhances public safety and improves firefighter health and safety as compared with the division structure and shift schedule the Town's firefighters currently follow.
- (7) Paid firefighters would reduce their work days, on average, to 100 days per year on a 3-division structure operating in conjunction with a twenty-four consecutive hours duty schedule.

- (8) The Town can increase the number of firefighters on duty by over thirty percent (30%) by having a 3-division structure, and still eventually realize an estimated savings of over \$1.2 Million per year.
- (9) Similar savings can only be realized by effecting drastic and unacceptable cuts in public safety and other essential Town services, contrary to the public good and welfare.
- (10) The same savings, efficiencies and level of protection to the Town could only be realized in the Fire Department by changing the nature of fire/rescue operations in the Town, including changing from an all-professional Fire Department to one that includes volunteers, call persons and private contractors. The continuation of a professional fire/rescue department is in the public's interest, provided essential services of the Town need not be cut as a result.
- (11) The citizens of North Kingstown already bear a property tax burden that is among the highest in the State per capita and cannot afford another large tax increase.
- (b)** Effective January 1, 2012, the North Kingstown Fire Department shall convert and reorganize into a 3-division organizational structure for all full-time, paid line personnel, including the positions of Deputy Chief, Fire and Rescue Captain, Fire and Rescue Lieutenant, Rescue Driver, Firefighter/Rescueman/EMT-C, Firefighter/Rescueman, and Fire Alarm Operator. Each of the three fire/rescue divisions shall consist of approximately one-third (1/3) of the Department's line firefighting and rescue personnel. Individuals who are not permanently assigned to a position within a division shall act as floaters pursuant to the parties' collective bargaining agreement. The Department shall maintain a separate Fire Prevention Bureau, Training Division, Fire Alarm Division and Automotive Repair Division, which may or may not be staffed with full-time personnel as determined by the Town Council and/or the Town Manager from time to time. The Department will continue to provide fire/rescue services twenty-four hours per day, seven days per week.
- (c)** Effective January 1, 2012, unless a different arrangement is incorporated into an agreement with the collective bargaining representative of affected employees, the same annual salaries shall be provided; the same number of hours of paid sick leave, paid vacation leave and other paid time off shall accrue to firefighters per week or month or year of service or event as currently is provided by the parties' collective bargaining agreement; and, overtime pay shall be given as prescribed by the federal Fair Labor Standards Act.
- (d)** Effective February 1, 2012, unless otherwise agreed between the Town of North Kingstown and the collective bargaining representative of affected employees, the three line firefighting/rescue divisions will operate on a regular schedule consisting of one 10-hour day tour on-duty followed by one 14-hour night tour on-duty, followed by one 48-hour period off-duty.
- (e)** The Town Manager is urged and supported in exploring options and seeking bids for privatization of any or all functions of the Fire Department and for developing call and volunteer forces to perform some or all fire/rescue services.

**SECTION 2.** This Ordinance shall take effect upon passage and all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

First Read at the Town Council Meeting of December 19, 2011 and referred to the Town Council Meeting of January 9, 2012 and continued to the Town Council Meeting of January 23, 2012 for Second Reading and Consideration of Adoption.

Jeannette Alyward  
Town Clerk

Proposed amendments may be altered or amended prior to the close of the Public Hearing without further advertising, as a result of further study or because of the views expressed at the Public Hearing. Any such alteration or amendment must be presented for comment in the course of said Public Hearing.

The Town will provide interpreters for the hearing impaired provided three (3) days notice is provided by calling 294-3331, Ext. 122.