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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

IN AMENDMENT TO THE CHARTER OF THE CENTRAL COVENTRY FIRE DISTRICT
PURSUANT TO A RESOLUTION OF THE BOARD OF DIRECTORS OF THE COVENTRY
FIRE DISTRICT ADOPTED ON SEPTEMBER 9, 2016

Introduced By: Senators Kettle, and Raptakis

Date Introduced: February 02, 2017

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 AN ACT IN AMENDMENT TO THE CHARTER OF THE CENTRAL COVENTRY
2 FIRE DISTRICT PURSUANT TO A RESOLUTION OF THE BOARD OF DIRECTORS OF
3 THE COVENTRY FIRE DISTRICT ADOPTED ON SEPTEMBER 9, 2016

4 SECTION 1. Chapter 492 of the Public Laws of 2006, entitled "AN ACT IN
5 AMENDMENT OF THE INCORPORATION OF THE CENTRAL COVENTRY FIRE
6 DISTRICT IN FURTHERANCE OF THE "CONSOLIDATION PLAN" OF THE CENTRAL
7 COVENTRY FIRE DISTRICT, THE WASHINGTON LIGHTING DISTRICT, THE HARRIS
8 FIRE & LIGHTING DISTRICT AND THE TIOGUE FIRE DISTRICT, AS APPROVED BY
9 THE QUALIFIED VOTERS OF SAID DISTRICTS, AT DULY CALLED MEETINGS HELD
10 ON MARCH 28, 2006" is hereby amended to read as follows:

11 Sec. 3. ~~FIRST CONSOLIDATED DISTRICT MEETING AND~~ ANNUAL MEETINGS
12 OF THE ~~CONSOLIDATED~~ FIRE DISTRICT

13 ~~(a) 2006—First consolidated meeting:~~

14 ~~Commencing in the year 2006, a special meeting of the consolidated district shall be held~~
15 ~~within thirty (30) days of the amendment of this Charter by and among the Boards of Directors of~~
16 ~~Central Coventry Fire District, the Washington Lighting District, the Harris Fire & Lighting~~
17 ~~District and the Tiogue Fire District for the purposes of constituting the first Board of Directors of~~
18 ~~the consolidated district, in accordance with Section 5 herein and for adopting the initial by laws~~

1 ~~for the Consolidated District.~~

2 ~~(b)~~ (a) Annual Meetings & Quorum:

3 Annual meetings of said Fire District for the election of officers and the transaction of
4 any other business of the Fire District shall be held. ~~Twenty five (25)~~ One hundred (100)
5 qualified voters shall constitute a quorum for the transaction of business at any meeting of the
6 corporation.

7 ~~Commencing in 2007 and continuing annually thereafter, the~~ The district shall hold an
8 annual meeting in a public place on the ~~second~~ third Monday in September, at 7:00 P.M. at such
9 place within the District as the Board shall determine, for the purposes of:

- 10 (1) electing a Board of Directors;
- 11 (2) authorizing the assessment of all the taxable personal and real property of the District;
- 12 (3) authorizing the collection of taxes, as further set forth in Section 6 hereunder;
- 13 (4) authorizing an annual budget to provide for the purchase and maintenance of
14 equipment, apparatus, real and personal property, the payment of wages and salaries, and for such
15 other expenditures deemed necessary by the qualified voters of the District; and (5) For such
16 other lawful purposes deemed necessary and proper by either the Board of Directors or qualified
17 voters of the district.

18 ~~(e)~~ (b) Call of the Meeting:

19 The Clerk of the District shall give notice of the annual meetings by causing a copy
20 thereof to be posted in the Kent County Times, The Reminder, or a similar newspaper of general
21 circulation ~~at least twice in some newspaper~~ distributed in Kent County, and posted in each fire
22 station of the District not less than sixty (60) days prior to the meeting date and thereafter, thirty
23 (30) days prior to the meeting and thereafter, at least seven (7) days prior to the meeting date.

24 The annual meeting and all other meetings of the District shall be held in a public place,
25 which shall be accessible to the handicapped, pursuant to the requirements of the Rhode Island
26 Constitution, Article 1 & 2 and applicable federal and state non-discrimination laws.

27 Sec. 4. SPECIAL MEETINGS

28 (a) Special meetings of the Fire District may be called upon written request of not less
29 than ~~twenty five (25)~~ one hundred (100) qualified voters, or may be called by a majority vote of
30 the ~~board of directors~~ Board of Directors.

31 Written application for a special meeting of the Fire District as well as the notice thereof,
32 shall mention the Reason for such special meeting. Notice of the special meeting for the Fire
33 District shall be given in the same manner as the annual meeting not less than thirty (30) days
34 prior to the date of the meeting and thereafter, at least seven (7) days prior to the meeting date.

1 The purpose of the special meeting shall be stated in the notice and call for meeting and no other
2 business shall be transacted.

3 (b) Any special meeting of the Fire District called for the purpose of filling a vacancy
4 among district ~~Officers~~ officers shall be advertised in the same manner as the annual meeting, as
5 set forth in Section 3 ~~(e)~~ (b) of this Charter.

6 (c) Nothing herein shall prohibit the Board of Directors from calling such special Board
7 of Directors meetings, or Board work sessions or workshops as they may from time to time
8 require, so long as said meetings comply with the Rhode Island Open Meetings Act, chapter 46 of
9 title 42.

10 Sec. 5. DIRECTORS & OFFICERS OF THE CORPORATION – MODERATOR -
11 QUALIFICATIONS

12 (a) The ~~consolidated~~ district board shall be comprised of seven (7) directors, ~~none of~~
13 ~~whom shall be then serving as a Treasurer or Tax Collector of any individual district, appointed~~
14 ~~by the respective Boards of each individual fire district and shall be constituted as follows: Two~~
15 ~~(2) members shall be appointed by the Central Coventry Fire District; Two (2) members shall be~~
16 ~~appointed by the Central Washington Fire District; One (1) member shall be appointed by the~~
17 ~~Harris Fire District; One (1) member shall be appointed by the Tiogue Fire District; the final~~
18 ~~member shall be appointed by the preceding six (6) members and may be from any of the~~
19 ~~individual fire districts.~~ The ~~consolidated~~ district Board of Directors shall elect a President and
20 Vice President, and all seven Directors shall be qualified to serve in office until at least the next
21 annual meeting. The Board shall determine by some acceptable means, the order in which the
22 members seats shall come up for election.

23 ~~(b) Thereafter, three (3) Directors will be elected to a three (3) year term at the 2007~~
24 ~~annual meeting and every third year thereafter. Two (2) directors shall be elected at the 2008~~
25 ~~annual meeting and every third year thereafter. Two (2) Directors shall be elected at the 2009~~
26 ~~annual meeting and every third year thereafter.~~

27 ~~(e)~~ (b) Any inhabitant qualified to vote at any District meeting may be a candidate for
28 District office, provided, however, that no one who is employed by the District as a firefighter, or
29 employed by another Fire District in the Town of Coventry as a firefighter, or employed by
30 another municipality as a firefighter, or employed by the State of Rhode Island as a firefighter, or
31 any relative, as defined in the §36-14-2(1), of a District employee, shall be a candidate for
32 District office. However, no one who is employed as a firefighter shall be a candidate for District
33 office, unless he or she has been retired or separated from said employment for more than one
34 year at the time of his or her candidacy. ~~such~~ Such candidate must ~~submits~~ submit to the District

1 clerk the title of the elective office sought, together with a petition signed by twenty (20)
2 inhabitants qualified to vote at any District meeting, at least sixty (60) days prior to the date of the
3 meeting, This list of signatures is to be certified by the clerk no later than thirty (30) days prior to
4 an annual or special meeting of the District.

5 ~~(d)~~ (c) The clerk of the District shall post in a conspicuous place a list of all persons
6 certified to stand for election and the office to which each person seeks election in at least eight
7 (8) public places within the district, including all actively used District stations, at least twenty
8 (20) days prior to the annual meeting or any other special meeting called for the election of
9 officers.

10 ~~(e)~~ (d) The Board of Directors shall have the power to declare an office vacant if the
11 person filling that office fails to attend three (3) consecutive monthly meetings of the Board
12 without prior notification to the Board. The Board is authorized to excuse the absence of a
13 Director from any meeting.

14 ~~(f)~~ (e) If a vacancy shall occur on the Board six (6) months or more prior to the next
15 regular election, a special election shall be called by the Clerk in the manner set forth in Section 4
16 of the Charter. If such vacancy shall occur less than six (6) months prior to the next regular
17 election, the vacancy shall be filled for the unexpired terms by the remaining members of the
18 Board. In the event that a vacancy in any other elective office of the District occurs, the president
19 or clerk shall call a meeting of the Board of Directors of the district within ten (10) working days
20 after such vacancy occurs.

21 The Board of Directors shall select a qualified elector of the District to fill the vacancy
22 for a period of up to sixty (60) days.

23 ~~(g) Upon the occurrence of any vacancy in any elective office of the District, the~~
24 ~~president shall call a special meeting of the District for the purpose of electing a qualified elector~~
25 ~~to fill the office vacated for the remainder of the original term of office. Said special meeting~~
26 ~~shall be held within sixty five (65) days from the date such original vacancy occurs.~~

27 Sec. 6 DUTIES OF THE BOARD OF DIRECTORS

28 (a) The Board of Directors shall hold monthly public meetings to conduct the business of
29 the District. The Board of Directors shall be empowered and responsible to:

- 30 (1) Fix the amount of the bond of the Finance Director or Treasurer and the Tax
31 Collector;
- 32 (2) Order payment of the district's bills and indebtedness;
- 33 (3) Be in charge of and supervise the care of the district's properties;
- 34 (4) Cause district property to be insured;

1 (5) Purchase equipment, property and apparatus as required by the District's needs and
2 budget;

3 (6) Appoint ~~an Administrative~~ a Fire Chief, Tax Collector and Treasurer and other
4 employees. No less than one half (1/2) of the members of the Board of Directors shall constitute a
5 quorum at any meeting of the Board.

6 (b) The foregoing list of duties shall not be deemed to be limiting and the Board of
7 Directors ~~directors~~ shall have all necessary authority to operate and conduct the business of the
8 District as necessary, all within the bounds of the laws of the State of Rhode Island. The Board of
9 Directors shall have the power to appoint and/or employ a tax assessor, tax collector, treasurer,
10 clerk, and other committees and/or positions deemed necessary for the efficient operation of the
11 District.

12 (c) The members of the Board of Directors and any official appointed by said Board of
13 Directors shall be subject to the Rhode Island Code of Ethics in Government, Chapter 14 of Title
14 36 of the Rhode Island General Laws.

15 (d) The president of said District shall preside at all annual and special meetings as
16 moderator; in his/her absence the vice president shall serve as moderator; in the absence of both,
17 a temporary moderator may be elected by a majority of voters present and voting.

18 (e) The administrative duties of these Directors shall be specified in the by-laws of the
19 Fire District.

20 Recall of Director(s).

21 Any Director, having been in office for at least six (6) months, may be removed from
22 office by a recall petition prepared and approved by the voters of the District in the manner
23 (hereinafter procedure) provided for recall. Upon application by a registered voter of the District,
24 the Clerk of the District shall issue recall petition blanks, which shall be dated, which shall
25 demand the removal of the designated Director, which shall also state the cause upon which the
26 removal is sought. The petition is to be filed with the Clerk of the District within thirty (30) days
27 after issuance to be in order for the certification process.

28 The signatures to a recall petition need not all be appended to a single paper, but each
29 signer shall add his or her signature as the same appears on the Board of Canvasser's and
30 Registration's records, and the signer's place of residence, giving the street name and number.
31 One of the signers shall take an oath before an officer competent to administer oaths that the
32 statement therein made is true, as the signer believes, and that each signature to the paper
33 appended is the genuine signature of the person whose name it purports to be. The recall petition
34 shall be signed by at least twenty percent (20%) of the registered voters of the District for

1 certification purposes. The petition is to be submitted by the Clerk of the District to the Coventry
2 Board of Canvassers and Registration for certification forthwith. If the petition shall be found and
3 certified by the Board of Canvassers and Registration to be sufficient, within ten (10) days said
4 Board shall submit the same to the Board of Directors without delay; the Board of Directors shall
5 order an election to be held on a Monday fixed by it no more than seventy-five (75) days after the
6 date of the Board of Canvassers and Registration's certificate that a sufficient petition is filed.
7 However, if the annual meeting is to occur within ninety (90) days after the date of the
8 certification, the Board of Directors shall postpone the holding of the recall election to the date of
9 said annual meeting.

10 Sec. 7. TAXING AUTHORITY - TAX ASSESSOR CAP ON SPENDING, LEVY-
11 RATIFICATION OF COLLECTIVE BARGAINING AGREEMENTS

12 (a) Said qualified voters at any of their legal meetings shall have the power to order such
13 taxes and provide for the assessing and collecting of the same on the taxable inhabitants and
14 property in said district as they shall deem necessary for purchasing fire engines, and all other
15 implements and apparatus for the extinguishing of fire; for the purchase of land and buildings for
16 keeping same; for the purchasing, installation, operation and maintenance of a suitable alarm
17 system; for making cisterns and reservoirs; for paying the salaries of district officers and
18 employees, firemen, as well as the members of the rescue unit known as Central Coventry
19 Rescue. And such taxes, so ordered, shall be assessed by the assessors of said district on the
20 taxable inhabitants and property therein according to the last valuation made by the assessors of
21 the town of Coventry next previous to said assessment, adding, however, any taxable property
22 which may have been omitted by said town assessors or afterwards acquired; and in assessing and
23 collecting said taxes such proceedings shall be had by the officers of said district, as near as may
24 be, as are required to be had by the corresponding officers of towns in assessing and collecting
25 taxes.; provided, however, that the tax assessed and payable in any one year under the provisions
26 of this section shall not exceed six (6) mills an each dollar of valuation.

27 (b) The qualified voters of the ~~Central Coventry~~ Fire District are also authorized to raise
28 money through taxes to purchase the necessary vehicles and equipment to operate and maintain a
29 rescue unit to be known as the Central Coventry Rescue.

30 (c) TAX ASSESSOR

31 There shall be at least one District Tax Assessor, ~~who may also serve as District Clerk,~~
32 who shall be appointed or employed by the ~~District~~ Board of Directors. ~~The tax assessor shall~~
33 ~~levy and assess taxes at such rate as the district shall vote, on all taxable real and personal~~
34 ~~property in the district and shall prepare and deposit the tax list with the tax collector and~~

1 ~~treasurer of the district; said board shall assess property on the basis of the last valuation made by~~
2 ~~the assessors of the Town of Coventry next previous to said assessment.~~ The Assessor shall be
3 responsible to certify the tax roll prior to the annual meeting and shall report the same to the
4 Board of Directors.

5 Sec. 7. Entire section deleted 1992

6 Sec. 8. Entire section 8 deleted 1992

7 Notwithstanding any other provision of this Charter, in no case, shall the qualified voters
8 of the District have the authority at the annual meeting to increase the annual budget proposal
9 recommended by the Board of Directors more than four percent (4%) above the total proposed
10 budget.

11 In the event that an amendment to the budget proposes an increase of more than four
12 percent (4%) of the budget proposed by the Board of Directors, an all-day referendum shall be
13 required to approve said amendment. The all-day referendum shall be conducted by the Board of
14 Canvassers for the Town of Coventry and polling shall be open from 7:00 AM to 8:00 PM.

15 Notwithstanding any other provision of this Charter, in no case, shall the qualified voters
16 of the District have the authority to increase the tax levy at the annual meeting by more than four
17 percent (4%) above the prior year's levy.

18 In the event that an amendment to the budget proposes an increase of the tax levy by
19 more than four percent (4%) above the prior year's levy, an all-day referendum shall be required
20 to approve said increase to the levy. The all-day referendum shall be conducted by the Board of
21 Canvassers for the Town of Coventry and polling shall be open from 7:00 AM to 8:00 PM.

22 RATIFICATION OF COLLECTIVE BARGAINING AGREEMENTS

23 The qualified electors of the district shall ratify, at the annual meeting, all collective
24 bargaining agreements negotiated by the Board of Directors, which ratification shall be for each
25 year of said agreement with the approval of the annual budget proposal, appropriation and
26 authorization to expend monies.

27 Sec. 9 FINANCE DIRECTOR -TREASURER

28 ~~DISTRICT TREASURER~~

29 ~~There shall be a District Treasurer who shall be appointed or employed by the District.~~
30 The Board of Directors shall be empowered to employ a Finance Director, or ~~The~~ Treasurer as
31 the same shall be referred to. The position shall be responsible for management and
32 administration of the district, except for fire department operations, which shall be the purview of
33 the fire chief, and shall be responsible to and shall report to the Board of Directors monthly. The
34 person shall have a degree in accounting or be a certified public accountant ("CPA") as a

1 minimum qualification. The following shall also be included as the duties and responsibilities of
2 this position, as may be modified from time to time by the Board of Directors.

3 The position shall account for ~~shall receive all~~ money paid to the District and ~~deposit~~
4 ensure that the same is deposited in ~~into~~ such federally insured bank or banking ~~system~~ institution
5 as shall be designated by the Board of Directors to the credit of the District, provided that in the
6 event of a surplus of funds, the Board of Directors may direct deposits to be made in a savings
7 account in some federally insured banking institution. The position ~~Treasurer~~ shall sign all duly
8 authorized distinct notes and bonds and shall be bonded in an amount to be determined by the
9 Board of Directors. The ~~Treasurer~~ position shall pay all District obligations by check, or ACH,
10 provided the same are within the spending authority established by the qualified electors at the
11 annual meeting; otherwise, such expenditures shall be ~~as~~ approved by the Board of Directors, ~~and~~
12 ~~shall~~ The position shall close the books as of the last day of each fiscal year. The ~~Treasurer~~
13 position ~~shall submit a report to the Board of Directors monthly. The Treasurer~~ shall at every
14 annual meeting, fully report the condition of the treasury of the District, showing receipts and
15 expenditures of the preceding year.

16 In addition to the foregoing, the position shall oversee all financial operations of the
17 District and direct financial planning and structure, coordinate, analyze and report the financial
18 performance to the Board; prepare short and long-term financial forecasts of financial
19 performance for use with internal management and external parties; oversee audit functions;
20 develop, implement and maintain accounting and administrative policies and procedures for
21 financial accounting, employee relations and other District policies; coordinate all human
22 resource activities including employee benefits, retirement, corporate insurance and related
23 activities.

24 Sec. 10 TAX COLLECTOR

25 There shall be a District Tax Collector who shall be appointed or employed by the
26 District. The tax collector shall collect and cause to be deposited into a federally insured bank or
27 banking institution as designed by the Board of Directors ~~and pay to the District treasurer~~ all
28 taxes and interest collected by him/her as and when received and shall be bonded in a sum fixed
29 by the Board of Directors; shall close his or her books as of the last day of each fiscal year and
30 shall prepare and present a written report to the annual meeting; shall submit a written report to
31 the ~~treasurer~~ Board of Directors monthly; shall consult an attorney approved by the Board when
32 legal action is necessary for the collection of unpaid taxes, including be responsible for holding
33 an annual tax sale on property to satisfy unpaid taxes owed to the District; and shall be
34 responsible for the preparation of the tax roll.

1 Sec. 12 AUTHORIZATION TO ~~BORROW FUNDS~~ ISSUE TAX ANTICIPATION
2 NOTES

3 The ~~Central Coventry~~ Fire District is hereby authorized and empowered to borrow ~~from~~
4 ~~time to time such sums of money as may be necessary, not however, to exceed the sum of three~~
5 ~~hundred thousand (\$300,000) dollars one half (1/2) of the annual operating budget, for the~~
6 ~~purpose of procuring real and personal estate, the erection and maintenance of buildings, the~~
7 ~~procuring of fire and water apparatus, for the payment of any legal indebtedness of said district,~~
8 ~~or for the purpose of purchasing or procuring any other property, real or personal, that may be~~
9 ~~legally acquired and held by said district~~ such sums of money as may be necessary in anticipation
10 of current taxes and revenues.

11 Sec. 13. CAP ON INDEBETEDNESS

12 The Fire District shall not in any year, have indebtedness of more than fifteen percent
13 (15%) of that year's annual budget.

14 Sec. ~~13~~ 14. The Central Coventry Fire District is authorized to install lighting on the
15 streets and highways of the district.

16 Sec. ~~14~~ 15. PRESERVATION OF RIGHTS UNDER EXISTING LABOR CONTRACTS

17 In accordance with the provision of Section 19.1 of Chapter 7, Title 28 of the Rhode
18 Island General Laws, this act of consolidation shall not impair the provisions of any existing labor
19 contracts for persons employed by any of the individual Fire Districts. Notwithstanding this
20 consolidation, the labor contracts shall continue in full force and effect until their termination
21 dates or until otherwise agreed by the parties or their legal successors.

22 SECTION 2. This act shall take effect no later than sixty (60) days after its enactment
23 and all acts or parts of acts inconsistent herewith or repugnant thereto, are hereby repealed.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

IN AMENDMENT TO THE CHARTER OF THE CENTRAL COVENTRY FIRE DISTRICT
PURSUANT TO A RESOLUTION OF THE BOARD OF DIRECTORS OF THE COVENTRY
FIRE DISTRICT ADOPTED ON SEPTEMBER 9, 2016

- 1 This act makes amendments and additions to the Central Coventry Fire District charter.
- 2 This act would take effect no later than sixty (60) days after its enactment and all acts or
- 3 parts of acts inconsistent herewith or repugnant thereto, are hereby repealed.

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