



17TH CHARTER REVISION
COMMISSION

Public Safety &
Health/Education/Ethics Committee
www.stamfordcharterrevision.org

C/O Office of the Board of Representatives, 4th Floor, Government Center,
888 Washington Blvd. P.O. Box 10152, Stamford, CT 06904
Tel: (203) 977-4024 Fax: (203) 977-5503 E-Mail: charterrevision@ci.stamford.ct.us

JAY H. SANDAK, Chair
Members
CLARENCE R. GREBEY, III
MICHAEL C. JACHIMCZYK
GAIL S. OKUN
ROBERT S. ROBINS

February 27, 2012

Southington Fire Department
310 North Main Street
Southington, CT 06489

Dear Chief:

The City of Stamford is currently undergoing a Charter Revision. In this context it is reviewing the current language with regard to the delivery of fire and rescue services within the community. We would appreciate it if you could take a few minutes to answer the following questions as they relate to the delivery of fire services within your community and return this questionnaire for our consideration.


Thank you in advance for your cooperation.

1. Is the fire delivery service in your community a "combined service," i.e., comprised of career and volunteer firefighters? If your answer to the foregoing is "No", do not go any further.
2. Do you have multiple fire districts/houses within your community? If so,
 - a. How many districts/firehouses? 4 Districts 4 Firehouses
 - b. Are some districts/firehouses exclusively covered by career firefighters and some by volunteer firefighters? YES NO
 - c. Are some districts/firehouses covered by a combination of career and volunteer firefighters? YES NO
 - i. In districts/firehouses in which there are both career and volunteer firefighters, do they all answer to the same command structure and take direction from the same supervisor(s)? YES NO
 - ii. Who makes the decision with regard to staffing and allocation of resources for the individual fire districts/firehouses with career and volunteer firefighters?
Department Fire Chief
3. How long have has your community had a combined fire delivery service? 53 Yrs.
4. Are there any Charter provisions which address the combined fire delivery service within your community? YES NO

5. If so, please attach a copy of the pertinent provisions.
6. Do you have a single individual who has direct responsibility for BOTH the career and volunteer firefighters within your community? YES NO
7. Do you have a single set of standard operating procedures ("SOP") for both the career and volunteer firefighters? YES NO
8. Do you have a uniform training program for both the career and volunteer firefighters? YES NO
9. Do the volunteer fire companies have their own "chiefs"? If so, do they have command of both volunteer and career firefighters within their district/firehouse?
There is only one Chief for the Department. Vol officers are in the chain of command over Paid FF. But under Paid officers
10. Please comment on how the combined fire service is working within your community. Day time response from all four Vol houses is low. We're restructuring officer qualifications and removed voting in of officers in Vol companies. This was done to improve quality of the officers. We send a paid Eng to all calls town wide
11. If you are willing to receive any follow-up inquires, please provide your name and contact information:
NAME: Chief Harold Clark
E-Mail: hclark@Southington.org
ADDRESS: 310 North Main St Southington Ct 06489.

Thank you for assisting us as we review the Stamford Charter with regard to our combined fire service program in Stamford.

Yours very truly,



Jay H. Sandak
Co-Chairman, 17th Charter Revision Commission

Please return responses to:

17TH CHARTER REVISION
COMMISSION
Public Safety &
Health/Education/Ethics Committee
C/O Office of the Board of Representatives, 4th Floor, Government Center,
888 Washington Blvd. P.O. Box 10152, Stamford, CT 06904

Or

E-Mail: charterrevision@ci.stamford.ct.us

by the division of police. The chief of police shall be the executive officer of the division of police. He shall assign all members of the division of their respective posts, shifts, details and duties. He shall be responsible for the care and custody of all property used by the division and for the efficiency, discipline and good conduct of its members. He shall make rules for the operation of the division and the conduct of police work, subject to the approval of the board of police commissioners. The violation of these rules by any member of the division shall be punishable by appropriate disciplinary action, to include suspension from duty with or without pay and removal, provided that no member of the division shall be suspended by the chief for more than ten (10) days without the approval of the board of police commissioners, and no suspension for more than thirty (30) days or removal shall be made except in accordance with the provisions of this Charter.

- (b) *Division of fire.* There shall be a board of fire commissioners consisting of five (5) members appointed by the council for a term of not more than four (4) years, the term of each to expire in consecutive years. There shall be a fire chief and such other officers and employees of such ranks and grades as the board of fire commissioners may determine, all of whom shall be appointed by the board of fire commissioners. It is also the intent of this Charter that fire protection shall continue to be provided by the volunteer companies heretofore established in the organization and conduct of which no change is contemplated. The fire chief shall

direct the operation of the fire companies at fires, institute and conduct suitable training programs for firemen in cooperation with company officers, and perform such other duties as may be prescribed by ordinance or the orders of the fire commission. There shall be a fire marshal, who shall have all the powers and duties of fire marshals in towns as provided in the General Statutes. All paid members of the fire department shall be appointed by the board of fire commissioners.

(11-3-1970; 11-7-1972; 11-7-2006)

Section 602. Tax collector.

The tax collector shall be appointed by the manager for an indefinite term in accordance with chapter VIII of this Charter, and shall respectively have all the powers and duties conferred upon tax collectors by the statutes and such other duties as may be assigned by the council or by the manager.

(11-7-1972; 11-8-1994)

Section 603. Building inspector.

(Repealed 11-8-1994)

Section 604. Director of public works.

There shall be a department of public works headed by a director of public works. The manager shall be the director until the council shall determine otherwise. When the council shall determine that someone other than the manager shall be the director of public works, he shall be appointed by the manager in accordance with the provisions of chapter VIII of this Charter. Within the department of public works there shall be a highway division, headed by the superintendent of highways, an engineering division, headed by the town engineer, a sewer department headed by the superintendent of the sewer department, and such other employees in each division as the council may determine. The department of public works

(b) *Definitions.*

- (1) *Rapid entry system.* A rapid entry system consists of heavy-duty key vault the specifications of which shall be approved by the fire marshal.
- (2) *Renovation.* Renovation shall mean updating or repair of an existing commercial building or conversion of an existing structure to commercial purposes requiring issuance of a building permit and the cost of which work shall exceed three thousand five hundred dollars (\$3,500.00).

(c) No certificate of occupancy shall henceforth issue for a new or renovated commercial structure unless there shall be installed thereon a rapid access system approved by the fire marshal as to specification and location thereof. Keys to such rapid access system shall be maintained exclusively by the fire marshal's office.

(d) Upon installation of such rapid access system, the building owner shall, at his, her or its expense maintain all components thereof in good working order, and make repair or replacement thereof within seven (7) days of receipt of written notice to repair or replace from the fire marshal.

(e) *Penalty.* Any owner violating provisions of this section shall be fined twenty-five dollars (\$25.00) for each occurrence. Each day of violation shall be considered a separate offense.

(Ord. of 8-11-98(1))

Secs. 7-3--7-20. Reserved.

ARTICLE II. FIRE DEPARTMENT***Sec. 7-21. Established.**

The town shall establish and maintain a fire department within its limits.

(Comp. Ords. 1972, p. 75, § (1))

Sec. 7-22. Composition.

The fire department shall consist of the following five (5) volunteer companies located in Southington, Plantsville, Milldale, Marion and North End and one (1) paid company and shall be maintained with such equipment as the board of fire commissioners shall deem necessary.

(Comp. Ords. 1972, p. 75, § (2))

Sec. 7-23. Powers and duties of board of fire commissioners.

The board of fire commissioners shall make regulations for the fire department and the organization of volunteer fire companies and may appoint officers and employees of the fire department. The board of fire commissioners shall have such other powers as is provided in the General Statutes.

(Comp. Ords. 1972, p. 75, §§ (3), (4))

Charter references: Board of fire commissioners, § 601(b).

* **Cross references:** Administration, Ch. 2; fire department employees included in state retirement fund, § 2-34.

State law references: Municipal fire departments, G.S. § 7-301 et seq.

The Southington Fire Department has recognized safety deficiencies and potential liability for the town and individuals with how the department chooses its volunteer fire officers. A merit based system establishing minimum qualifications rather than a popular vote to serve as officers is the solution. The citizens of Southington have the right to expect a level of performance from the public agencies that serve them. Having fire officers that do not meet minimum standards set forth by OSHA and NFPA in this day and age is questionable, and may border on the edge of negligence.

We have to ask the question. Are unqualified volunteer company officers which have the potential to be an incident commander at an emergency equipped for the challenge he or she may face defending his or her actions in court following an incident with a particularly high dollar loss, severe firefighter or civilian injury, or catastrophic loss of life?"

Traditionally, the fire service has enjoyed protection from most civil and criminal proceedings through the universally held common law concept of governmental immunity. Plainly stated, government entities, including the municipal fire service in most states, were considered immune from liability even when using inadequate or inferior performance standards (FEMA, 2000).¹

Governmental immunity seems to be eroding, and it is being increasingly challenged. Qualified immunity is still relevant as long as entities and individuals can defend their on-scene actions and decisions. Immunity will apply except in situations where it is deemed unfair. The fire service cannot respond to incidents and hope that events will work themselves out. An Incident Commander's judgments will be scrutinized more and more, and he or she will be held accountable for any errors in judgment. Whether that officer endures will be determined by how well prepared he or she was prior to the incident and if they made decisions based on sound rationale and training.

Clearly, when you examine the headlines in recent years, the fire service and individual firefighters are being held more accountable for their actions.

Fire officers can be held personally liable for decisions they make or actions they take. As a department we must ensure that our company officers can make competent decisions based on training and experience, not by the fact that they won an election. It is not just at the scene of an emergency incident either. Volunteer officers are direct supervisors to town employees. Town employees deserve to have competent supervisors with management training in dealing with issues of sexual discrimination, retaliation, hostile work environments, firefighter discipline, and the like.

The fire department will develop our members who wish to take on the role of a company officer. Support and training will be provided to ensure our company officers will make sound decisions both in the firehouse and the fire ground. It is the departments hope that qualified competent supervisors in the volunteer ranks will lead to a more effective delivery of service to the community and greater retention of our members.

SOUTHINGTON FIRE DEPARTMENT

Volunteer Fire Officer – Transition Program

The following chart is a proposed time line for current fire officers. These courses will allow for each volunteer company to have certified fire officers and instructors to provide more effective leadership at the company level as well as at emergency scenes. All requirements are considered to be the minimum qualifications under NFPA and OSHA Standards. Officers may complete courses faster than the suggested time line, and will be able to seek additional training opportunities.

TRAINING REQUIREMENT	COMPLETION DATE
ICS 100, 200, 700, 800	July 1, 2012
Firefighter II	June 30, 2013
Fire Service Instructor I	December 31, 2014
Fire Officer I	December 31, 2015
Incident Safety Officer – Fire Suppression	December 31, 2016
Building Construction – Combustible	December 31, 2016
Building Construction – Non-Combustible	December 31, 2017
ICS 300	December 31, 2017

SOUTHINGTON FIRE DEPARTMENT

Officer Candidate – Professional Development Program

This program was designed to provide a framework, time schedule, and mentoring process for developing and evaluating members interested in becoming company officers within the Southington Fire Department through a comprehensive training program.

This will apply to all qualified members who wish to be considered for promotion within their companies.

Officer development training will be held annually beginning on March 1. All interested members who meet the minimum qualifications and apply for the program will be enrolled. Officer candidates will train as a group.

Minimum Qualifications

The minimum qualifications to be enrolled in the program are as follows:

Five (5) years of continuous service within the Southington Fire Department.

Member in good standing with the department and company.

Sixty (60) percent of the available fire calls

One hundred (100) percent of the scheduled mandatory drills

Firefighter II Certification

Hazardous Materials Operational level

ICS 100, 200, 700, 800

2Q vehicle endorsement or CDL.

Current qualified driver/operator.

Emergency Vehicle Operations

Basic Pump Operator

Ariel Strategies and Tactics

Officer Training Classes

To include but not be limited to:

Department Standard Operating Procedures and General Orders.

First due area surveys and familiarization

Incident entry and reporting

Pre-incident planning

Preventing workplace violence

Preventing sexual harassment

After completion of the Officer Candidate training program, members will be eligible to take a written promotional exam. The exam will include a collaboration of information provided during the program. Upon successful passing of the exam, candidates will go through an oral interview process and a Chiefs recommendation; the top candidates will be recommended by the Chief to the Board of Fire Commissioners for approval.

Officer Rank Qualifications

2nd Lieutenant

Five (5) years completed service
Fire service Instructor I
Sixteen (16) hours as an assistant training instructor
Forty (40) hours mentor program with Career Officer
Officer's role in driver safety
Building Construction – combustible
Sixty (60) percent of the available fire calls
One hundred (100) percent of the scheduled mandatory drills

1st Lieutenant

Three (3) years completed service as 2nd Lieutenant
Forty (40) hours mentor program with company captain
Fire Officer I
Building Construction – non-combustible
Sixty (60) percent of the available fire calls
One hundred (100) percent of the scheduled mandatory drills

Captain

Three (3) years completed service as 1st Lieutenant
Incident Safety Officer – Fire Suppression
ICS 300 – Advanced ICS
Sixty (60) percent of the available fire calls
One hundred (100) percent of the scheduled mandatory drills

Dept. Rules + Reg

19. No member shall willfully direct a stream of water upon any person except for the purpose of extinguishing fire or as part of an authorized training exercise.
20. The administrative officers (president, vice president, secretary and treasurer) of each company shall be elected at the annual meeting of the Company, which shall be held on the 1st Monday of November. Elected officers shall take office on January 1st.
21. Each company shall make by-laws governing the affairs of their respective company, subject to the approval of the board.
22. The Chief will assign and dismiss company line officers: Captain, 1st Lieutenant, 2nd Lieutenant, and Training Officer, taking into consideration recommendations of the Company and qualifications of the candidate. However, the Chief will have final say with the approval of the Board.
23. All Department emergency vehicles shall be so marked as Town of Southington fire emergency vehicles per established standard unless marking changes are approved by the Board. Approved magnetic decals can be used, with Board permission. They must be displayed on the vehicle during all official activities.