

2020 -- H 8082

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

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A N A C T

RELATING TO THE CENTRAL COVENTRY FIRE DISTRICT

Introduced By: Representatives Nardone, Roberts, and Chippendale

Date Introduced: June 19, 2020

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of Chapter 405 of the Public
2 Laws, 2006, entitled, "AN ACT IN AMENDMENT OF THE INCORPORATION OF THE
3 CENTRAL COVENTRY FIRE DISTRICT IN FURTHERANCE OF THE "CONSOLIDATION
4 PLAN" OF THE CENTRAL COVENTRY FIRE DISTRICT, THE WASHINGTON LIGHTING
5 DISTRICT, THE HARRIS FIRE & LIGHTING DISTRICT AND THE TIOGUE FIRE
6 DISTRICT, AS APPROVED BY THE QUALIFIED VOTERS OF SAID DISTRICTS, AT DULY
7 CALLED MEETINGS HELD ON MARCH 28, 2006" and as subsequently amended by Chapter
8 238 of the Public Laws, 2012, and Chapters 34 and 45 of the Public Laws, 2017, are hereby
9 amended to read as follows:

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

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

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

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

1 Annual meetings of said fire district for the election of officers and the transaction of any
2 other business of the fire district shall be held. Twenty five (25) qualified voters shall constitute a
3 quorum for the transaction of business at any meeting of the corporation.

4 ~~The annual meeting of said district shall be held on the second Wednesday of November~~
5 ~~in each year. Effective for 2017 through 2018, the district's fiscal year shall be from December 1,~~
6 ~~2017, to December 31, 2018. Beginning on January 1, 2019, and each year thereafter the district's~~
7 ~~fiscal year shall be the calendar year, from January 1 until December 31.~~

8 ~~Commencing in 2007 and continuing annually thereafter, the district~~ The District shall hold
9 an annual meeting in a public place on the ~~first~~ third Monday in ~~October~~ September, at 7:00 P.M.
10 at such place within the District as the Board shall determine, for the purposes of: (1) ~~electing~~
11 Electing a Board of Directors; (2) ~~authorizing~~ Authorizing the assessment of all the taxable personal
12 and real property of the District; (3) ~~authorizing~~ Authorizing the collection of taxes, as further set
13 forth in Section 6 hereunder; (4) ~~authorizing~~ Authorizing an annual budget to provide for the
14 purchase and maintenance of equipment, apparatus, real and personal property, the payment of
15 wages and salaries, and for such other expenditures deemed necessary by the qualified voters of
16 the District; and (5) For such other lawful purposes deemed necessary and proper by either the
17 Board of Directors or qualified voters of the district.

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

19 The ~~Clerk of the District~~ District Clerk shall give notice of the annual meetings by causing
20 a copy thereof to be posted ~~at least twice in some newspaper distributed in Kent County, and posted~~
21 ~~in each fire station of the District not less than sixty (60) days prior to the meeting date~~ in the Kent
22 County Times, The Reminder, or a similar newspaper of general circulation distributed in Kent
23 County, and posted in each fire station of the District thirty (30) days prior to the meeting and
24 thereafter, at least seven (7) days prior to the meeting date. The annual meeting and all other
25 meetings of the District shall be held in a public place, which shall be accessible to the handicapped,
26 pursuant to the requirements of the Rhode Island Constitution, Article 1 & 2 and applicable federal
27 and state non-discrimination laws.

28 *Sec. 4. SPECIAL MEETINGS*

29 (a) ~~Special meetings may be called upon written request of not less than twenty five (25)~~
30 ~~qualified voters, or may be called by a majority vote of the board of Directors. Written application~~
31 ~~for a special meeting as well as the notice thereof, shall mention the reason for such special meeting.~~
32 ~~Notice of the special meeting shall be given in the same manner as the annual meeting not less than~~
33 ~~thirty (30) days prior to the date of the meeting. The purpose of the meeting shall be stated in the~~
34 ~~notice and call for meeting and no other business shall be transacted.~~ Special meetings of the fire

1 District may be called upon written request of not less than one hundred (100) qualified voters or
2 may be called by a majority vote of the Board of Directors. Written application for a special meeting
3 of the fire District, as well as the notice thereof, shall mention the reason for such special meeting.
4 Notice of the special meeting of the fire District shall be given in the same manner as the annual
5 meeting not less than thirty (30) days prior to the date of the meeting, thereafter, at least seven (7)
6 days prior to the date of the meeting. The purpose of the special meeting of the fire District shall
7 be stated in the notice and call for meeting and no other business shall be transacted.

8 (b) ~~Any special meeting called for the purpose of filling a vacancy among district officers~~
9 ~~shall be advertised in the same manner as the annual meeting, as set forth in Section 3 (c) of this~~
10 ~~Charter.~~ Nothing herein shall prohibit the Board of Directors from calling such special Board of
11 Directors meetings, or Board work sessions or workshops as they may from time to time require,
12 so long as said meetings comply with the Open Meetings Act set forth in chapter 46 of title 42 of
13 the Rhode Island General Laws.

14 *Sec. 5. DIRECTORS & OFFICERS OF THE CORPORATION – MODERATOR -*
15 *QUALIFICATIONS*

16 (a) ~~The consolidated district board shall be comprised of seven (7) directors, none of whom~~
17 ~~shall be then serving as a Treasurer or Tax Collector of any individual district, appointed by the~~
18 ~~respective Boards of each individual fire district and shall be constituted as follows: Two (2)~~
19 ~~members shall be appointed by the Central Coventry Fire District; Two (2) members shall be~~
20 ~~appointed by the Central Washington Fire District; One (1) member shall be appointed by the Harris~~
21 ~~Fire District; One (1) member shall be appointed by the Tiogue Fire District; the final member shall~~
22 ~~be appointed by the preceding six (6) members and may be from any of the individual fire districts.~~
23 ~~The consolidated district Board of Directors shall elect a President and Vice President, and all seven~~
24 ~~Directors shall be qualified to serve in office until at least the next annual meeting. At the first~~
25 ~~meeting of the consolidated district, the Board shall determine by some acceptable means, the order~~
26 ~~in which the members' seats shall come up for election.~~ The District Board shall be comprised of
27 seven (7) Directors. The Board of Directors shall elect a President and Vice President, and all seven
28 (7) Directors shall be qualified to serve in the office until at least the next annual meeting. Board
29 members shall serve three (3) year terms, staggered by the year in which they were elected. For
30 example, if a Board member was elected in 2018, his or her term would be up for election in 2021.

31 (b) ~~Thereafter, three (3) Directors will be elected to a three (3) year term at the 2007 annual~~
32 ~~meeting and every third year thereafter. Two (2) directors shall be elected at the 2008 annual~~
33 ~~meeting and every third year thereafter. Two (2) Directors shall be elected at the 2009 annual~~
34 ~~meeting and every third year thereafter.~~ Any inhabitant qualified to vote at any District meeting,

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

6 ~~(e) Any inhabitant qualified to vote at any District meeting may be a candidate for District~~
7 ~~office, provided such candidate submits to the District clerk the title of the elective office sought,~~
8 ~~together with a petition signed by twenty (20) inhabitants qualified to vote at any District meeting,~~
9 ~~at least sixty (60) days prior to the date of the meeting, This list of signatures is to be certified by~~
10 ~~the clerk no later than thirty (30) days prior to an annual or special meeting of the District.~~

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

16 ~~(e) The Board of Directors shall have the power to declare an office vacant if the person~~
17 ~~filling that office fails to attend three (3) consecutive monthly meetings of the Board.~~

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

22 (e) If a vacancy shall occur on the Board, the President or District Clerk shall call a meeting
23 of the Board of Directors of the District within ten (10) working days after such vacancy shall
24 occur. The remaining Board members shall appoint a replacement to fill the vacancy until the next
25 regular election of officers, at which time the vacant position shall be filled through an election for
26 the balance of the term.

27 ~~(f) In the event that a vacancy in any elective office of the District occurs, the president or~~
28 ~~clerk shall call a meeting of the Board of Directors of the district within ten (10) working days after~~
29 ~~such vacancy occurs. The Board of Directors shall select a qualified elector of the District to fill~~
30 ~~the vacancy until the next annual meeting.~~

31 ~~(g) Upon the occurrence of any vacancy in any elective office of the District, at the next~~
32 ~~annual meeting an election will be held for the purpose of electing a qualified elector to fill the~~
33 ~~office vacated for the remainder of the original term of office.~~

34 *Sec. 6 DUTIES OF THE BOARD OF DIRECTORS*

1 (a) The Board of Directors shall hold monthly public meetings to conduct the business of
2 the District. The Board of Directors shall be empowered and responsible to: (1) Fix the amount of
3 the bond of the Finance Director or Treasurer and the Tax Collector; (2) Order payment of the
4 ~~district's~~ District's bills and indebtedness; (3) Be in charge of and supervise the care of the ~~district's~~
5 District's properties; (4) Cause ~~district~~ District property to be insured; (5) Upon the
6 recommendation of the Fire Chief, purchase equipment, property and apparatus and sell obsolete,
7 decommissioned or surplus equipment, property and apparatus as required by the District's needs
8 and budget; (6) Appoint ~~an Administrative~~ a Fire Chief, Tax Collector and Treasurer and other
9 employees. No less than one half (1/2) of the members of the Board of Directors shall constitute a
10 quorum at any meeting of the Board.

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

16 (c) The members of the Board of Directors and any official appointed by said Board of
17 Directors shall be subject to the Rhode Island Code of Ethics in Government, Chapter 14 of Title
18 36 of the Rhode Island General Laws.

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

22 (e) The administrative duties of these Directors shall be specified in the ~~by-laws of the fire~~
23 ~~district~~ By-laws of the District.

24 (f) Recall of Director(s).

25 Any Director, having been in office for at least six (6) months, may be removed from office
26 by a recall petition prepared and approved by the voters of the District in the manner hereinafter
27 provided for recall.

28 Upon application by a registered voter of the District, the District Clerk shall issue recall
29 petition blanks, which shall be dated, which shall demand the removal of the designated Director,
30 and which shall also state the cause upon which the removal is sought. The petition is to be filed
31 with the District Clerk within thirty (30) days after issuance to be in order for the certification
32 process.

33 The signatures to a recall petition need not all be appended to a single paper, but each signer
34 shall add his or her signature as the same appears on the Board of Canvassers and Registration's

1 records, and the signer's place of residence, giving the street name and number. One of the signers
2 shall take an oath before an officer competent to administer oaths that the statement therein made
3 is true, as the signer believes, and that each signature to the paper appended is the genuine signature
4 of the person whose name it purports to be.

5 The recall petition shall be signed by at least twenty percent (20%) of the registered voters
6 of the District for certification purposes. The petition is to be submitted by the District Clerk to the
7 Coventry Board of Canvassers and Registration for certification forthwith. If the petition shall be
8 found and certified by the Board of Canvassers and Registration to be sufficient, within ten (10)
9 days said Board shall submit the same to the Board of Directors without delay. The Board of
10 Directors shall order an election to be held on a Monday fixed by it no more than seventy-five (75)
11 days after the date of the Board of Canvassers and Registration's certificate that a sufficient petition
12 is filed; however, if the annual meeting is to occur within ninety (90) days after the date of the
13 certification, the Board of Directors shall postpone the holding of the recall election to the date of
14 said annual meeting.

15 *Sec. 7. TAXING AUTHORITY - TAX ASSESSOR*

16 (a) Said qualified voters at any of their legal meetings shall have the power to order such
17 taxes and provide for the assessing and collecting of the same on the taxable inhabitants and
18 property in said ~~district~~ District as they shall deem necessary for purchasing fire engines, and all
19 other implements and apparatus for the extinguishing of fire; for the purchase of land and buildings
20 for keeping same; for the purchasing, installation, operation and maintenance of a suitable alarm
21 system; for making cisterns and reservoirs; for the purchase of necessary vehicles and equipment
22 to operate and maintain emergency medical services; for paying the salaries of ~~district~~ District
23 officers and employees. And such taxes, so ordered, shall be assessed by the assessors of said
24 ~~district~~ District on the taxable inhabitants and property therein according to the last valuation made
25 by the assessors of the town of Coventry next previous to said assessment, adding, however, any
26 taxable property which may have been omitted by said town assessors or afterwards acquired; and
27 in assessing and collecting said taxes such proceedings shall be had by the officers of said ~~district~~
28 District, as near as may be, as are required to be had by the corresponding officers of towns in
29 assessing and collecting taxes.

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

33 (c) TAX ASSESSOR

34 There shall be at least one District Tax Assessor, ~~who may also serve as District Clerk,~~

1 who shall be appointed or employed by the ~~District~~ Board of Directors. The ~~tax-assessor~~ Assessor
2 shall ~~levy and assess taxes at such rate as the district shall vote, on all taxable real and personal~~
3 ~~property in the district and shall prepare and deposit the tax list with the tax collector and treasurer~~
4 ~~of the district; said board shall assess property on the basis of the last valuation made by the~~
5 ~~assessors of the Town of Coventry next previous to said assessment~~ be responsible to certify the
6 tax roll prior to the annual meeting and shall report the same to the Board of Directors.

7 *Sec. 8. DISTRICT CLERK*

8 There shall be a District Clerk who shall be appointed or employed by the District. The
9 ~~clerk~~ District Clerk shall keep full, fair and accurate records and minutes of the meetings of the
10 Board of Directors and ~~district~~ District meetings and shall make said minutes available to members
11 of the public, in accordance with the Rhode Island Public Records Act, Chapter 2 of Title 38 of the
12 Rhode Island General Laws. The District Clerk shall be responsible to give notice of District
13 meetings as set forth under the provisions of this Charter and pursuant to the Rhode Island Open
14 Meetings Laws, Chapter 46 of Title 42 of the Rhode Island General Laws. The ~~clerk~~ District Clerk
15 shall maintain a current copy of the District Charter and ~~by laws~~ By-laws.

16 *Sec . 9. ~~DISTRICT TREASURER~~*

17 ~~There shall be a District Treasurer who shall be appointed or employed by the District. The~~
18 ~~Treasurer shall receive all money paid to the District and deposit the same in such federally insured~~
19 ~~bank or banking system as shall be designated by the Board of Directors to the credit of the District,~~
20 ~~provided that in the event of a surplus of funds, the Board of Directors may direct deposits to be~~
21 ~~made in a savings account in some federally insured banking institution. The Treasurer shall sign~~
22 ~~all duly authorized distinct notes and bonds and shall be bonded in an amount to be determined by~~
23 ~~the Board of Directors. The Treasurer shall pay all District obligations by check, as approved by~~
24 ~~the Board of Directors and shall close the books as of the last day of each fiscal year. The Treasurer~~
25 ~~shall submit a report to the Board of Directors monthly. The Treasurer shall at every annual~~
26 ~~meeting, fully report the condition of the treasury of the District, showing receipts and expenditures~~
27 ~~of the preceding year.~~

28 FINANCE DIRECTOR -- TREASURER

29 The Board of Directors shall be empowered to employ a Finance Director or Treasurer, as
30 the same shall be referred to. The position shall be responsible for management and administration
31 of the District, except for fire department operations, which shall be the purview of a fire chief, and
32 shall be responsible to and shall report to the Board of Directors monthly. This person shall have a
33 degree in accounting or a Certified Public Accountant ("CPA") designation as minimum criteria.
34 The following shall also be included as the duties and responsibilities of this position, as may be

1 modified from time to time by the Board of Directors:

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

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

21 *Sec. 10. TAX COLLECTOR*

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

1 an annual tax sale on property to satisfy unpaid taxes owed to the District; and, shall be responsible
2 for the preparation of the tax roll.

3 *Sec. 11. BY-LAWS*

4 The qualified voters of said ~~district~~ District may enact all ~~by-laws~~ By-laws by them
5 adjudged necessary and expedient for carrying the provisions of this act into effect, provided the
6 same be not in violation of or repugnant to the laws of this state. The qualified voters may change
7 any provision of the ~~by-laws~~ By-laws at any annual or special meeting, provided the proposed
8 change has been noticed in the call of the meeting.

9 *Sec. 12. AUTHORIZATION TO BORROW FUNDS*

10 The Central Coventry ~~fire district~~ Fire District is hereby authorized and empowered to
11 borrow ~~from time to time~~ such sums of money as may be necessary, ~~not however, to exceed the~~
12 ~~sum of one half (1/2) of the annual operating budget, for the purpose of procuring real and personal~~
13 ~~estate, the erection and maintenance of buildings, the procuring of fire and water apparatus, for the~~
14 ~~payment of any legal indebtedness of said district, or for the purpose of purchasing or procuring~~
15 ~~any other property, real or personal, that may be legally acquired and held by said district in~~
16 anticipation of current taxes and revenues, not to exceed fifteen percent (15%) of the annual budget.

17 *Sec. 13.* The Central Coventry fire district is authorized to install lighting on the streets and
18 highways of the district; provided, however, that any new installation of lighting or repair of
19 existing lighting shall be required to use Light-Emitting Diode ("LED") or other energy-reducing
20 technology to lower the cost of said lighting.

21 SECTION 2. This act shall take effect no later than sixty (60) days after passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO THE CENTRAL COVENTRY FIRE DISTRICT

1 This act would amend the procedures for the holding of the annual meeting, special
2 meetings, the election, recall and duties of the board of directors and officers as well as the duties
3 of the tax assessor, district clerk, finance director-treasurer and tax collector, the borrowing of funds
4 and installation or repair of lighting.

5 This act would take effect no later than sixty (60) days after passage.

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