

BYLAWS
OF THE
ARVIN HART FIRE COMPANY

Adopted August 11th, 2010

Adopted 1986
Revised 1988
Revised June, 1991
Revised October, 1997
Revised February, 1998
Revised March, 1998
Revised June, 1998
Revised October, 1999
Revised April 2008
Revised August 2010

Thank you to the 2010 committee for their commitment to accomplish this latest edition.

Tom Rinaldi, Chairman

Chris Wright

Prateek Singh

Dave Douquette

Bill Ritter

Drew Walts

ARTICLE I NAME - PURPOSE - TERRITORY

- Section A** The name of this organization shall be the Arvin Hart Fire Company, Inc.
- Section B** The primary objective of this organization shall be to provide and promote the protection of life and property from hazardous conditions and shall derive its rights and responsibilities from the Board of Fire Commissioners within the Stillwater Fire District.
- Section C** The territory, in which the Company shall operate, shall be limited to that part of the Town of Stillwater defined as the Stillwater Fire District, unless requested under an established mutual aid agreement.

ARTICLE 2 MEETINGS

- Section A** Regular business meetings shall be held on the 2nd Wednesday of each month at 7:30 PM.
- Section B** The Annual Meeting shall be held on the first Thursday after the first Tuesday in December at 7:30 PM). The sole purpose will be the election of Line and Administrative Officers. No one shall be admitted to the meeting room after the official start of the meeting.
- Section C** Special meetings can be held at the request of the President or ten members. At least ten members plus one Line and one Administrative officer must be present to hold a special meeting. Special meetings shall cover only one specified agenda item. The election of officers can not be voted upon at a special meeting. Minutes shall be recorded and filed by the Recording Secretary or designee and copied to the President.
- Section D** A quorum at monthly meetings shall be 15 members.
- Section E** All meetings and elections of the Company shall be held at Station 1 on Campbell Road unless otherwise specified by the President.
- Section F** If a monthly meeting should fall on a State or Federal legal holiday, it shall be postponed until the following Wednesday, at the option of the President.
- Section G** To vote shall mean casting a ballot, be it Yes or No; abstention votes shall not be counted. Ballots may be cast verbally, by show of hand, or written.
- Section H** Meetings shall be called to order at 7:30 P.M. if a quorum is present. If a quorum is not present, the presiding officer shall wait 15 minutes, after which time the roll shall be taken. If a quorum is not present at 7:45 P.M., the meeting is then postponed until the following Wednesday at the regular time.
- Section I** If a quorum is present, business will be transacted in the following order;

- 1) Salute to the flag
- 2) Reading and approval of the minutes of the previous meeting
- 3) Reports of Officers, Boards and Standing Committees
- 4) Reports of any Special Committees
- 5) Special Orders
 - a) Correspondence
- 6) Treasurers Report; and Audit of Bills (no motion needed for adoption)
 - a) collection of dues fines or assessments
- 7) Unfinished Business;
 - a) Report from trustees/vote on new member application
- 8) New Business
 - a) Nomination or election of vacant positions
 - b) New member applications
- 9) Adjournment

Section J The Company's fiscal year shall run from January 1st to December 31st.

Section K A member who wishes to speak on any subject at the appropriate time during a meeting must be recognized by the presiding officer. When recognized, shall proceed, being to the point and should take only enough time during the meeting deemed reasonable by the presiding officer. It is essential that each member be able to express his thoughts without fear of retribution or limitations.

Section L Each member present, except the President shall be expected to vote on motions that come before the Company unless excused by the presiding officer. The President shall vote in the case of a tie, but he may cast a blank ballot. After two unbroken tie votes, the motion shall be tabled until the next regular meeting.

Section M The presiding officer shall have the power and responsibility to end a meeting, if it becomes out of hand.

ARTICLE 3 MEMBERSHIP

Section A The membership of the Company shall be limited to 150 members, which will include 6 Junior members. All members must be of good moral character, must be at least 16 years old at time of appointment, and the applicant must be a resident of the Stillwater Fire District and is subject to approval by the Board of Fire Commissioners.

Section B Voting eligibility, Active Members:

The eligibility to vote and to be considered an "Active Member" for voting purposes is maintained by participating in 10% of the incidents and ten drills during the twelve month period between annual meetings. The eligibility requirements apply to both the annual

meeting, and for the election of officers any time it may become necessary during the proceeding year.

- 1) The voting eligibility list for the purpose of electing officers shall continue to be used for one year from the date of the annual meeting to the next annual meeting.
- 2) Voting status shall not be granted to Class 4/Junior members, or to candidates for membership.

Section C Former Riverside Fire Company Members

- 1) Members who held positions of rank within the Riverside Fire Company will enjoy any privileges that are enjoyed by members of the Arvin Hart Fire Company.
- 2) Former Riverside members shall be held to the same standard of requirements as Arvin Hart members.

Section D Membership Divisions

The Fire Company will recognize following membership divisions with the divisions based on training and standards for the purpose of being covered by the Volunteer Firefighters Benefit Law (VFBL) coverage:

1) Active Members

- a. **Class 1** Interior Fire-fighters at least 18 years of age, who are available for training, complete the yearly Department of Labor/OSHA requirements, meet the minimum training requirements, participate in a minimum of 10% of the incidents and 10 drills in the twelve month period between Annual Meetings, are available for work details and any other activity necessary to carry out the objectives of the Fire Company. Members must be in sound health and make themselves available for a medical evaluation upon request of the Chief or Commissioners at Fire District expense in order to comply with the standards for wearing breathing apparatus. Those members who intend to be Class 1 members and who join the department after January 1, 2005 must attend Firefighter 1 training within 1 year of entering the department or they will be reclassified at the appropriate level. Members of any other class may become Class 1 by being certified in the prescribed training and completing all other standards. Class 1 members are considered Active per the requirements of the VFBL.
- b. **Class 2** Such status should be considered when interior firefighting status is no longer desired or possible, but the member wishes to continue their association with the Company. A Class 2 member is a member who does not wish to participate in interior firefighting activities but desires to contribute to the operation of the Company. A Class 2 member must participate in 10% of incidents and 10 training sessions in the twelve month period between Annual meetings. Members joining after January 1st, 2005 and who elect to be Class 2 members are exempt from interior firefighter training requirements but must fulfill minimum training requirements by

attending the Scene Support Operations Course (27 hours) within 1 year of becoming members of the Fire Company. Members who have been previously trained to a standard higher than the Scene Support Operations Course may elect to become Class 2 members without additional mandatory training requirements. Changes in classification shall be directed to the Chief. Class 2 members are considered Active per the requirements of the VFBL.

- c. **Class 3/Life Member** There are two classes of Life Members, Active and Inactive. Upon 25 years of active service for the purposes of voting, a member may wish to be considered as a Life member. A written request to the Company must be made, but the status is granted without vote. Life membership may also be granted prior to 25 years service by submitting an active (for the purpose of voting) member's name in nomination to the membership in writing. They must then be approved by a simple majority vote of the Company. This classification should be reserved for members who have made a significant contribution to the Company. Life members are no longer required to pay dues, attend drills, and respond to incidents unless they wish to keep their Class 1 or 2 status whereby they would have to maintain the requirements that apply to that status. Life members not fulfilling these requirements shall be considered Inactive Life Members and are not eligible for VFBL coverage.
- d. **Class 4/Junior Member** A company member between the ages of 16 and 18. The total number of junior members in the department shall be limited to six.
- On the fire ground junior members shall be identified by wearing a black helmet. Junior members shall not engage in interior firefighting or be placed in an unsafe environment as determined by the incident commander or Officer in Charge (OIC) on the apparatus.
 - Junior members shall participate and complete the fire company's Orientation Program within the 1st year of joining the fire company.
 - Junior members shall undergo a formal review process by the Line Officers and Trustees annually prior to their 18th birthday. The Line Officers and Trustees shall develop an evaluation form, and shall use that form to document the annual review process.
 - While attending school, Junior members must maintain an academic average of 65 in order to continue to participate in fire department activities.
 - Junior members must attend and pass the Firefighter 1 or Scene Support Operations Course within two years of being accepted as a class 4 members.
1. Junior members shall transition to regular members of the Company when they reach 18 years of age after the following occurs;

- a) submission of a written final review by the officers with a recommendation to the membership and;
 - b) completion of the Orientation Program, and
 - c) upon obtaining a certificate in either the Firefighter 1 or the Scene Support Class.
 - d) After reviewing the required documentation the Junior members shall be recommended for appointment to regular membership by the Chief Officers, at a regular monthly meeting and assigned by the Chief to the appropriate classification. Class 4 members are considered Active per the requirements of the VFBL.
 - e) Junior members shall not have the right to vote on matters brought before the company.
 - f) Junior members shall have on file, a permission affidavit signed by a parent or guardian to participate as a candidate firefighter.
- 2) **Inactive members** Are considered to be those who do not fulfill the requirements of an active member such as attendance at the minimum number of incidents and training sessions. Other actions that should be taken into consideration to classify a member as inactive shall be their attendance at various activities including meetings, social events, and general participation in company activities. Members who fail to participate in incidents, meetings, social activities, and training without explanation or contact with the Company will be dropped from the membership rolls after 12 consecutive months of such inactivity. They shall receive a letter from the Chief and President, and shall be asked to return all property issued by the Company or District. Any disputes over such activity will be brought before the membership and decided by majority vote. Inactive members are not eligible for Volunteer Firefighter Insurance Law Benefits.
- a) Inactive members may opt to be classified as Social members. Social membership shall be requested in writing by the candidate and approved by a vote of the company at a regular company meeting.
 - b) Social members shall be carried on the social member roster, may participate in company activities, may provide support to the fire company and will be required to fund any activities held by the fire company which might benefit active members.
 - c) Social members shall not have voting rights, shall not respond to incidents, shall not be pension eligible and shall not be covered by VFBL benefits or any other insurance provided to active members.
- 3) **Non Resident members** Any member in good standing who moves outside of the Stillwater Fire District.

- a) Must immediately notify the fire company secretary in writing with a copy to the Fire District Secretary. Continued membership must be approved by the Board of Fire Commissioners.
 - b) Members who move out of the District and fail to make written notification or who fail to obtain approval from the Board, cease to be members of the fire company.
 - c) Any member moving out of the District, who fails to remain an active member, shall be dropped from the membership after one year.
- 4) **Honorary Members** Persons recognized by the Company as doing worthwhile deeds on behalf on the organization are eligible as Honorary Members. This classification should be reserved for persons who have made a significant contribution to the Company. Their names must be presented in nomination to the Company in writing to be voted upon at a regular meeting. Honorary members have no vote, pay no dues, nor are allowed to participate in any activities other than social. Honorary members may not partake in any benefits available to active fire-fighters including VFBL coverage, thus are considered inactive

Section E Exempt members are those defined by New York State Municipal Law and have no bearing on the membership status within this Company.

Section F Members must be of good moral character and shall not be convicted of arson or any other conduct which is not compatible with a public service organization. Any member charged with the crime of arson shall be immediately suspended from the fire company until a trial outcome has been determined. Any member convicted of arson shall be discharged from the company without the right of appeal. Any member charged with a crime that is contrary to the conduct of public service shall be placed on suspension until the outcome of the legal hearing, and subsequently may be asked to resign and has the right of appeal.

Section G It is the responsibility of each member to see that their name has been included on incident and drill reports, in order to receive proper credit or benefits.

Section H Members who have been deployed by the military shall be required to submit a letter of membership continuance upon deployment. But are not required to attend drills, meetings and fires until they have returned from active duty. Notification of Military Service beginning or ending shall be given to the Company in writing within 30 days of change of status.

- 1) Members who are on extended active orders and live within the District, are exempt from the above provisions and must maintain the Company status they fall under as would any other member. Active military members must

have written permission of their Commanding Officer to participate in fire-fighting activities.

ARTICLE 4 MEMBERSHIP

Section A The application of a candidate for membership shall be submitted to the Company, with a fee of \$3.00. The fee is refunded if the applicant is rejected for any reason.

Section B Each candidate for membership must;

- 1) complete an application on the prescribed form
- 2) pass the prescribed physical exam
- 3) not be convicted arsonists or convicted, registered sex offenders
- 4) be sponsored by three members in good standing and
- 5) be interviewed by the Company Trustees.

Applications for candidacy will come before the membership, read aloud, and tabled for 30 days for review by the Trustees.

Section C Candidates to be considered for membership shall be interviewed and rated by the Trustees. The Trustees shall make comments and a recommendation to the fire company membership with a copy to the Board of Fire Commissioners as a result of their interview and submission of the required documents. Recommendations shall be in the form of;

- 1) Candidate is endorsed by the trustees
- 2) Candidate is endorsed with reservations by the trustees
- 3) Candidate is not endorsed by the trustees

Only after an endorsement statement by the Trustees will the Candidate be voted on by the membership in attendance at a regular monthly meeting and subsequently by the Board of Fire Commissioners and become Probationary Members.

Candidates residing within the Fire District boundaries and those residing outside of the fire district boundaries shall be approved by 75% of the voters in attendance at a regular monthly meeting.

Section D The names of Probationary members shall be submitted to the County Volunteer Benefit Insurance office which will ensure that the member will be covered by any benefits in the form of workers compensation will be provided by this Department or any agency providing benefits to the members e.g., Saratoga County, New York State or the U.S. Government.

Section E **Probationary Members**

Probationary members over 18 years of age shall be considered for full membership in the fire company upon completion of a 6 month Orientation program as approved by the Board of Fire Commissioners and presented by the Administrative and Line Officers of the Fire Company. Probationary members who are under 18 years of age

must complete the Orientation program as well as additional requirements for junior members.

- 1) Probationary members and Junior members shall not have the right to vote on any matter brought before the company.
- 2) Probationary members shall not be issued new PPE, pagers, or any other equipment on a full time basis until completing the 6 month orientation and probationary period. Equipment is issued for the purpose of safety during training evolutions.
- 3) Probationary members shall not take the place of senior or permanent members on apparatus unless they have already completed the minimum training requirements and have presented training certificates of the approved NYS training or proof of National Certification

Section F Six Month Probation

A probation period of six months will be served by each Probationary Members during which the member will participate in the prescribed Orientation Program. If for any reason during those six months, anyone in the Company questions the performance of the member; their case will be reviewed by the Line Officers. The findings of the Line Officers shall be communicated verbally to the fire company members in attendance at a regular meeting and shall come to a vote to retain or to drop the Probationary member.

Section G Removal from Membership for cause

Members may be removed from the fire company for cause brought before the company membership at a regular company meeting.

- 1) Members may be expelled from the fire company by no less than a three-fourths (75%) vote of the quorum in attendance at a regular company meeting. All votes for suspension or expulsion shall be by written ballot, **with no exceptions.**
- 2) Members may be expelled for the following but not exclusively; for conduct unbecoming a public service agency representative, arson conviction, for non-participation at incidents, training, or meetings for a period not to exceed 1 year, negligence, for conduct that cannot be legally justified or that conflicts with the law, or for cause as presented by the membership.
- 3) Members who are subject to removal for cause shall be notified by the President or designee that they are subject to removal from the fire company.

Section H Minimum training requirements for fire company members

Refer to the Stillwater Fire District's minimum training policy

ARTICLE 5 ELECTION OF OFFICERS

Section A The following offices shall be elected positions:

- 1) Administrative Offices;
President

Vice-President
Treasurer
Recording Secretary
Business Secretary [**exception see section Art 5, J(3)**]
Sergeant-at-Arms
Five, Trustee's Positions

2) Line Officers;

Chief
Deputy Chief
Assistant Chief
Three Captain's Positions
Three Lieutenant's Positions
One Fire Police Captain
One Fire Police Lieutenant

- 3) The Chief will have the authority to appoint at least two Safety Officers, a Public Information Officer, a least two engineers and at least one Training Officer annually in consultation with the line officers. The command staff under the direction of the Chief shall fulfill the requirements as outlined Standard Operating Guidelines or other documents as necessary.

Section B The President shall appoint a nominating committee consisting of five members, at the October meeting. The nominating committee will present its suggested slate of officers at the November meeting and shall post their nominees at each station. At the November meeting the nominating committee shall present their choices and nominations shall be accepted from the floor. The nominations are subject to the qualifications as listed in these by-laws or any other rules and regulations pertaining to officer qualifications. At the annual meeting, each member who is eligible to vote shall be given a ballot for each position that is contested.

- a. A candidate who is qualified for an elected position may run for any position that requires lesser qualifications.
- b. At the annual meeting, if a candidate who is qualified to be nominated for an line officer's position, loses the election for that position, they will be permitted to run for a lesser position if they so choose by announcing their intentions to the President.

The ballot must be clearly marked with the name of the person the Active member chooses for the position being voted on. The ballots will be given to the President and tabulated before the membership. Elections shall be decided by majority vote for each position. On a ballot with 3 or more candidates, where no candidate receives 50% of the total number of ballots cast, the 2 candidates receiving the most ballots shall be held for a second ballot. Ties will be broken by a ballot of the President, his ballot may be blank. If a tie reoccurs on the second ballot, and the ballot of the President is blank, the office shall be filled at the next regular meeting by secret ballot of the members eligible to vote.

Section C Officers elected at the Annual Meeting shall assume their position on January 1st of the succeeding year.

Section D Officers elected to fill a vacancy after the 1st of January shall assume their position immediately upon election by the Company.

Section E Chief Officers elected by the Company are employees of the Fire District and are subject to approval by the Board of Fire Commissioners. If a Chief Officer is not approved by the Board, nominations and elections will take place at the next regular Company meeting following the notice of disapproval.

Section F Each year the position held by the trustee serving the longest (5 years) shall be up for nomination and election. Positions which become vacant shall be filled by a vote of the membership and the trustee shall fill the unexpired term of the trustee they replaced.

Section G The Chief shall be limited to three consecutive one year terms.

Section H Qualifications to be nominated as a Line Officer

1. Nominees for line officer positions must meet the following requirements
 - a. All candidates for line officers must have been an active voting member for one year immediately preceding their nomination;
 - b. Lieutenants
 - i. shall be interior qualified in the Arvin Hart Fire Company for at least two years immediately preceding their nomination for the position
 - ii. Shall have obtained a certificate for the "Introduction to Fire Officer Course" from NYS OFPC within one year of being elected.
 - iii. Shall have obtained a certificate for ICS, 100, 200 and 700 prior to being nominated.
 - iv. Shall have obtained a certificate for the "Pump Operations Course" from NYS OFPC.
 - v. Shall be required to obtain a certificate for the Fire Reporting Workshop course offered by NYS-OFPC
 - c. Captain
 - i. Shall have served as a Lieutenant for two years immediately preceding election
 - ii. Shall have completed the course certificate requirements for Lieutenant
 - iii. Shall have received a certificate for ICS 800
 - iv. Shall have received a certificate for 1A and 1B training, which is required to utilize the County Training Facility.
 - v. Shall have received a certificate for Principals of Building Construction/Combustible from NYS OFPC.
 - d. Assistant Chief

- i. Shall have served four years immediately preceding election as a line officer, with at least one of those years as captain
 - ii. Shall have completed the course certificate requirements for Captain
 - iii. Shall have obtained a certificate for ICS 300
 - iv. Must obtain a certificate within the first year for, Fire Officer 1 and Principles of Fire Investigation from NYS OFPC.
- e. Deputy Chief
 - i. Shall have served one year as Assistant Chief immediately preceding election and completed the course certificate requirements for Assistant Chief.
- f. Chief
 - i. Shall have served at least two years (combined) as Assistant Chief and Deputy Chief immediately prior to election.
- 2. Exception, any member who has held the office of Assistant Chief, Deputy Chief or Chief in the Arvin Hart Fire Company, prior to the By Laws Change dated: will be considered qualified to run for the Office of Chief.
- 3. Any member of the Arvin Hart fire company who has held an office for which they were previously qualified, will continue to be qualified for that office and any lower ranking office without having to meet the above stated requirements.
- 4. Any members who seek to advance in rank from their current qualified position must meet the requirements as stated to be eligible to be nominated for that position.
- 5. If required courses are not offered, the determination for qualifying courses shall be made on a case by case basis by the Board of Fire Commissioners.

Section I Qualifications to be nominated as a Fire Police Officer (Lieutenant and Captain)

- 1) To be eligible as a fire police officer, candidates must have served as a sworn fire police person for at least two years immediately preceding election.
- 2) Shall have received a certificate in ICS 100, 700 and NYS OFPC Scene Support Operations or Fire Fighter 1.
- 3) Shall have received a certificate in the NYS OFPC Fire Police Course

Section J Qualifications to be nominated for an Administrative Office

- 1) The President, Vice President, Treasurer, and Trustees must be Active, qualified voting members of the Fire Company for no less than two consecutive years immediately prior to nomination.
- 2) The Recording Secretary, Sergeant at Arms must be Active, qualified voting members of the Fire Company for no less than one year immediately prior to nomination.
- 3) The Business Secretary may be appointed by consensus of the President, Vice President, and Treasurer if there are no candidates from within the fire company. Otherwise the Business Secretary must be a member of the Company for no less than one year prior to nomination.

Section K A member who is an active qualified voting member may serve as both a Line Officer and an Administrative Officer concurrently. A member may not hold two or more Line or Administrative Officer positions concurrently.

Section L Vacancies in officer's positions shall be filled immediately upon election and shall fill the unexpired term of the officer they replaced.

ARTICLE 6 JOB DISCRIPTIONS FOR ADMINISTRATIVE OFFICERS

Section A President

- 1) The duties of the President or in the President's absence the Vice President or designee will be to preside at all meetings and to conduct Company business according to the Constitution and By-Laws and Robert's Rules.
- 2) The President is the policy making Administrative Officer and the highest official in the Administrative chain of command.
- 3) The line of succession shall be from President, to Vice President, to Treasurer, to Recording Secretary, to Business Secretary to a temporary President Pro-Tem elected by the members qualified to vote in attendance at the meeting and shall expire at the end of the meeting at which they were elected.
- 4) The President will appoint all committees. Standing committees will be appointed at the first regular meeting in January and will include: Benevolent, Parade, By-Laws, Equipment Fund, Recruitment and Retention, and House Committees.
- 5) The By-Laws Committee will receive proposed changes from the membership for review and recommendation to the President. The President may refer questions on the By-Laws for clarification to the By-Laws Committee.
- 6) The President will enforce the observance of the By-Laws, will initiate any action necessary to fulfill the objectives of this organization and will install newly elected Officers with the exception of Chief Officers, should a vacancy occur during the fiscal year.
- 7) The President will submit an annual report to the company at the meeting following the Annual Meeting, which shall include the overall condition of the Company, highlight the accomplishments of the Company for the past year and may include any recommendations deemed appropriate for the welfare of the Company in the future.
- 8) The President will deliver to their successor all records pertaining to Company business in a complete, orderly manner within 15 days of vacating office.
- 9) It shall be the responsibility of the President or his designee to pick up Company mail.

Section B Vice President

- 1) The Vice-President will assist the President in the accomplishment of the President's duties and goals of the Company. In the absence of the President, the Vice-President will assume the duties of the President and when acting as the president is the policy making Administrative Officer.
- 2) The Vice-President will maintain a database for all members who attend fires and drills, showing the number attended by each member, each month. From the, database the Vice-President will prepare a list of members who qualify as active members for voting, who may subsequently vote at the Annual Meeting. The list of eligible voters will be given to the Recording Secretary or President prior to the Annual Meeting.
- 3) Should the office of President become vacant, the Vice-President will temporarily assume the duties of the President until a new President is elected. Upon election the President shall immediately assume office.
- 4) Any administrative duty may be assigned to the Vice-President as the President deems necessary to accomplish the tasks necessary to achieve the administrative objectives of the Company.
- 5) The Vice-President will deliver all records of the Company to their successor in an orderly manner within 15 days of vacating office.

Section C Secretary

1. Recording Secretary shall;
 - a) Attend all meetings to record the minutes of the meeting or designate someone to take their place on a temporary basis.
 - b) Call the roll at meetings.
 - c) Keep the Official Copy of the By-Laws up to date, and attach any new amendments
 - d) Deliver to their successor all records and files concerning the Company in an orderly manner and within 15 days of vacating office.
2. Business Secretary shall;
 - a) Keep all Company records accurate, up to date, and filed neatly.
 - b) Keep an up to date personnel file on each member, showing his proper name, address, phone number, emergency contact number, service date, membership status, and included any information pertaining to that member.
 - c) Personnel file information shall be filed in the appropriate location and shall be maintained up to date.
 - d) Distribute all correspondence to the proper persons.
 - e) Send all correspondence as deemed necessary by the Company in a neat and timely manner.
 - f) Submit a budget to the Treasurer as of the first meeting in January, to give an idea of projected expenditures for materials necessary to accomplish their duties for the year.

- g) Notify newly elected members that they must sign the Official Company Log Book after approval by the Commissioners.
- h) Send a letter as to the disposition of the vote for membership (approval or disapproval) to a prospective member.
- i) Deliver to their successor all records and files concerning the Company in an orderly manner and within 15 days of vacating office.

Section D Treasurer; It will be the duty of the Treasurer to;

- 1) Keep an accurate record of all bills received, paid, to whom they are paid, and make sure they are paid in a timely manner.
- 2) Obtain proper approval from the membership at a regular monthly meeting or special meeting to expend company funds.
- 3) Receive all money collected by or owed to the Company, giving a receipt for the same.
- 4) Keep an accurate record of all Company finances, how and where they are used, and present a report at each regular meeting.
- 5) Deposit all monies belonging to the Company, in the name of the Company, in the depository designated by the Treasurer in his annual report.
- 6) Prepare an annual report to be presented at the first regular meeting of the fiscal year. The report will include: how much has been expended, how much has been taken in and interest earned for the entire year, plus whatever pertinent information the Treasurer deems important.
- 7) Have the bills to be paid, reviewed and signed by three auditors who are voting members in attendance at the meeting
- 8) Present all records to their successor in a neat manner, within 15 days of vacating office.
- 9) Open the Company financial records to any member of the Company upon request.

Section E Sergeant at Arms

- 1) The Sergeant at Arms will be charged with the responsibility of preserving order and decorum at meetings and shall act at the request of the presiding Administrative Officer.

Section F Trustee

- 1) There shall be 5 trustees elected by the membership of the fire company.
- 2) Each trustee shall hold a five year term.
- 3) The chair of the board of trustees shall be selected by a majority vote of the five trustees.
- 4) Job duties of the trustees shall be;
 - a. The trustees shall interview candidates for membership in the fire company.
 - i. The trustees shall formulate an interview process and checklist so that consistent information is communicated to each candidate

- ii. The candidate checklist shall be a joint effort of the line officers, administrative officers and trustees.
- iii. As a result of the interview, the board of trustees shall make a recommendation for membership to the fire company in the following manner; recommended for membership, recommended with reservation, not recommended.
- b. The trustees shall provide each new candidate with a binder containing the Company By-Laws, the Fire District Rules and Regulations, Policies, SOGs, VFBL Policy, and any other information deemed appropriate.
- c. The trustees shall advise new members on the Orientation Requirements and provide information on the requirements for Physical exams.
- d. The Board of Trustees shall act as a hearing board for disciplinary hearings related to the administrative functions of the fire company. The decision of the trustees is final.
 - i. The President and the Chief shall be notified of the outcome of any disciplinary hearing conducted by the Board of Trustees.
 - ii. Hearing dispositions shall be documented in writing and placed in the file of the offending member.
- e. The trustees shall be responsible for investigating the record and qualifications of any probationary member whose qualifications or capabilities have been questioned.
- f. Any vacancies on the board of trustees shall be filled by an election by the company, at a regular company meeting, for the unexpired term being filled.

ARTICLE 7 FIREMATIC JOB DESCRIPTIONS

(Note refer to the Policies and Procedures of the Board of Fire Commissioners for the job descriptions of the Chief Officers)

Section A Captain (Three Positions)

- 1) It shall be the duty of the Captain to assume the duties and responsibilities of the Company in the absence of the Chief Officers.
- 2) The specific duties of the Captains at a given incident will be outlined in written SOG's, assigned by the Chief Officers, Incident Commander or assumed by the Captain as the need for definitive action is recognized.
- 3) The Captain may be assigned to any duty which the Chief Officers deem necessary to accomplish the objectives of the Company.
- 4) They are expected to be proficient in all Company emergency operations.
- 5) They are expected to have a working knowledge of fire prevention.
- 6) They are expected to have a working knowledge of public relations.

- 7) They are expected to be capable of leading and directing all emergency operations.
- 8) They shall conduct themselves as leaders by managing whenever possible and only doing the actual work when staffing requirements dictate.
- 9) They shall set an example for subordinates in behavior and operations.
- 10) They shall be able to develop emergency operating strategies in the absence of Chief Officers and direct accordingly.
- 11) They shall have a good knowledge of response district, water supply, and be familiar with mutual aid areas.
- 12) Captains shall be capable of properly instructing fire fighters on the use of all equipment and apparatus used by the fire company and shall be knowledgeable of all polices, rules and regulations.

Section B Lieutenant (Three Positions):

- 1) It shall be the duty of the Lieutenants to assume the duties and responsibilities of the Company in the absence of the Captains and Chief Officers.
- 2) The specific duties of the Lieutenant at a given incident will be outlined in written SOG's, assigned by the Captains or Chief Officers, Incident Commander or assumed by the Lieutenant as the need for definitive action is recognized.
- 3) The Lieutenant may be assigned to any duty which the Captain or Chief Officers deem necessary to accomplish the objectives of the Company.
- 4) They are expected to be proficient in all Company emergency operations, including the ability to direct interior firefighting operations.
- 5) They are expected to have a working knowledge of fire prevention.
- 6) They are expected to have a working knowledge of public relations.
- 7) They are expected to be capable of leading and directing all emergency operations.
- 8) They shall conduct themselves as leaders by managing whenever possible and only performing the actual work when staffing requirements dictate.
- 9) They shall set an example for subordinates in behavior and operations.
- 10) They shall be able to develop emergency operating strategies in the absence of Chief Officers and direct accordingly.
- 11) They shall have a good knowledge of response district, water supply, and be familiar with mutual aid areas.
- 12) Lieutenants shall be capable of properly instructing fire fighters on the use of all equipment and apparatus used by the fire company and shall be knowledgeable of all policies, rules and regulations.

Section C Fire Police:

- 1) Shall assist the Chief in any way as the Chief may determine necessary.
- 2) Shall be under the supervision of the Fire Police Captain and/or Lieutenant.
- 3) Shall have obtained a certificate for the NYS OFPC Scene Support Operations or Fire Fighter 1.
- 4) Members of the Company, who are designated as Fire Police, must complete the New York State Fire Police School, within one year of their appointment. A one

year extension may be granted by the Fire Police Captain in writing due to extenuating circumstances. If these requirements are not fulfilled, the member shall lose their Fire Police designation. They must also be sworn in by the Stillwater Town Clerk.

- 5) Shall be issued equipment as deemed necessary by the Fire Police Captain.

Section D Fire Police Captain

- 1) Shall be in charge of Motor Vehicle Traffic at the scene of any incident attended by this Company or as requested by Mutual Aid.
- 2) Shall be in charge of, and direct all the Fire Police of this Company.
- 3) Shall abide by the rules and regulations of this Company, the Commissioners and the State of New York.

Section E Fire Police Lieutenant

- 1) Shall assume command of the Fire Police Personnel of this company in the absence of the Fire Police Captain.
- 2) Shall abide by the rules and regulations of this Company, the Commissioners and the State of New York.

Section F Firefighters Shall:

- 1) Become proficient in knowing the location and using all emergency equipment on all apparatus.
- 2) Learn proper techniques for all emergency operations, such as rescue, vehicle extrication, fire attack, water rescue, etc.
- 3) Respond to all alarms as quickly and as safely as possible.
- 4) Adhere to Fire District and Company SOG's, policies, bylaws and regulations.
- 5) Assist in work details, fund raisers and upkeep and maintenance of facilities and apparatus whenever possible.
- 6) Attend meetings, drills and training whenever possible
- 7) Follow the orders of officers or those acting in an officer's capacity.
- 8) Assume the duties and responsibilities of an officer in their absence.
- 9) Be familiar with the response district.
- 10) Maintain conduct and appearance so as to reflect on the Company in a manner promoting good relations with all concerned.
- 11) Have a working knowledge of first aid basics and CPR or know where help is immediately available.

ARTICLE 8 COMMITTEES

Section A Each committee shall choose its own time and place to meet, unless specified by the President or Company. A majority of the members of the committee shall constitute a quorum, and each member of the committee shall be notified by the committee chairman in a reasonable manner as to the time and place of meeting.

Section B Any committee member failing to fulfill their duties as required by the Company or the Committee, shall be dropped from the committee and shall be reported to the President at a regular company meeting.

Section C No committee shall expend any funds or determine any final action without first briefing the Company and obtaining prior approval.

- 1) It is the charge of a committee to provide research and are advisory or operational in nature, and subsequently do not have legislative authority which is inherent in the membership, thus cannot unilaterally make policy or expend funds without company approval.
- 2) Funds expended by a committee without prior company approval shall be the responsibility of the committee chair.
- 3) Committees that have the potential of expending company funds shall submit a preliminary not to exceed budget to the treasurer and fire company prior to expending any funds.
- 4) Committee chair persons shall be responsible to report out on programs and activities of the committee at each company meeting.

ARTICLE 9 DUES AND ASSESSMENTS

Section A Members becoming indebted to the Company for more than 30 days, shall, after being notified by certified mail from the Business Secretary, be dropped from the membership if restitution is not made within five days after receiving notification. The Business Secretary must be informed of the debt by the Committee Chairperson or President.

- 1) Any member who does not turn in money as a result of sold tickets may be brought up on charges and discharged from the company.

Section B Disputes involving indebtedness shall be made in writing and filed with the Secretary. The disposition of the protest shall be decided by the trustees with a recommendation for action to the membership.

Section C Any member losing or damaging any property of the Company through negligence shall make restitution at their expense. The burden of proof of negligence shall rest with the Company.

ARTICLE 10 RESIGNATIONS

Section A All resignations shall be written, filed with the President, posted to the Business and Recording Secretary. Resignation letters shall be read at the next meeting occurring after the filing. Acceptance of the resignation will be voted on by the Company and shall be effective immediately. A resignation may be withdrawn any time before being voted upon.

Section B Upon the resignation of a member all debts to the Company must be satisfied, all equipment shall be returned, including but not exclusively license plate, uniform, or any other equipment issued by the company or the Fire District or equal value shall be paid to the appropriate responsible entity. The line or administrative officers shall report to the Fire Company members for action if this policy has not been satisfied.

ARTICLE 11 DISCIPLINARY ACTIONS

Section A All members may be subject to disciplinary action by the Line Officers, or President, which may result in suspension.

Section B Any member involved in a Motor Vehicle Accident in either a District or personal vehicle shall refer to the Fire District's policy on the Use of Vehicles.

Section C **Suspensions**

- 1) Suspensions may occur due to; conduct which is not appropriate or in accordance with the standards implied by one's character or position in a public safety organization which is publicly funded or harms the standing of the profession in the eyes of the public, insubordination, safety violations, violations of Fire Company, Fire District operational policies or any other transgression which may negatively impact the Fire Company or Fire District.
- 2) Any member who leaves an active incident without permission of the Incident Commander shall be subject to suspension.
- 3) A suspension should include an educational component, thus officers shall counsel the member relative to their actions. A written report of the counseling session outlining the transgression, the corrective action to be taken and the length of suspension shall be signed by both parties and filed in the members personnel file.
 - a) Definition: a counseling session is a discussion between the offending member and at least two officers, which outlines the transgressions of the offending member and any recommended corrective action including suspensions. After which, the officer shall document the discussion and obtain, in writing, the signature of the offending member by which the member acknowledges the discussion, their transgressions and the corrective action that is required.
- 4) Operational suspensions by an officer can only be until the next meeting of the Board of Fire Commissioners at which time a hearing will be held in relation to the offences leading to the suspension. The Board of Fire Commissioners shall conduct a hearing in accordance with the rules of due process.

- 5) Suspensions related to Operational matters may be appealed to the Board of Fire Commissioners at the next regular meeting following the suspension. The decision of the Board shall be final.
- 6) Suspensions related to Administrative matters may be appealed to the Board of Trustees, whose decision shall be final.

Section D Disciplinary Hearings

- 1) A member who has had charges preferred against them shall be suspended, from all activities of the fire company.
 - a) Charges shall be submitted in writing and shall be entered into a members personnel file.
 - b) Documentation shall include time, place, infraction, charges, outcome and corrective action to be taken.
- 2) Under the principles of due process, administrative suspensions may be appealed to the Board of Trustees.
 - a) Appeals shall be submitted within 15 days of the suspension.
 - b) Appeals shall be in writing to the fire company Business Secretary and shall be answered by the Trustees within 5 days as to the date and location of the requested hearing.
 - c) Hearing dates shall be scheduled within 15 of the Board of Trustees being notified by the Business Secretary.
 - d) If all five members of the board of trustees are unable to attend the scheduled hearing, an active fire company member shall be picked randomly to complete the hearing board. A quorum for the hearing shall be a minimum of four (4) trustees.
- 3) Once an appeal hearing is set, failure to answer the summons before the Board of Trustees by the complainant will result in a stay of the suspension.
- 4) After charges are preferred against a member, and the Board of Trustees has ordered that they appear for a hearing, the member is deprived of all membership rights and remains on suspension until their case is decided.
- 5) Upon reviewing the charges the accused will be allowed to make an explanation and introduce witnesses if so desired. The process of cross examination and rebutting testimony shall be allowed.
- 6) Upon review of all the evidence, the accused shall retire from the hearing room and the Board of Trustees shall deliberate on the question and act on the suspension, which shall be presented to the membership at the next regular meeting. The decision of the Board of Trustees is final. A written copy of the case and determination shall be entered in the member's file.
- 7) The determination of the Board of Trustees as a result of a hearing shall be brought to the membership by the Chairperson of the Board of Trustees
- 8) Members may be expelled from the fire company by no less than a three fourths (75%) vote of the quorum in attendance at a regular company meeting. All votes for suspension or expulsion shall be by written ballot, **with no exceptions.**

- 9) Any member suspended by a line officer due to an operational infraction may appeal disciplinary actions to the Board of Fire Commissioners.
 - a) Under the principles of due process operational suspensions may be appealed to the Board of Fire Commissioners.
 - b) Appeals shall in writing and presented to the Secretary of the Board of Fire Commissioners within 15 days of the suspension, in order to set a date for the hearing. Hearing dates shall be determined by the Board within 30 days of notice.
 - c) Once an appeal hearing is set, failure to answer a summons before the Board of Commissioners will result in a stay of the suspension.
 - d) After charges are preferred against a member, and the Board of Commissioners has ordered that they appear for a hearing the member is deprived of all membership rights and remains on suspension until their case is decided.
 - e) Upon reviewing the charges the accused will be allowed to make an explanation and introduce witnesses if so desired. The process of cross examination and rebutting testimony shall be allowed.
 - f) Upon review of all the evidence, the accused shall retire from the hearing room and the Board of Commissioners shall deliberate on the question and act on the suspension. The decision of the Board of Fire Commissioners is final. A written copy of the determination shall be entered in the member's file.
- 10) Suspensions shall not be extended due to the failure of holding a hearing in a timely manner. A hearing is not a moot point if the time period of the suspension has expired, the purpose of the hearing is to provide due process, document the infraction and determine the equality of the punishment. A hearing provides for documentation and a recording of the determination of due process.

ARTICLE 12 THE BENEVOLENT COMMITTEE

- Section A** It shall be the duty of the Benevolent committee on the notification of the death of a member to send flowers in the form of a "MALTESE CROSS" with the letters "A.H.F.D." in the center or a cash donation equivalent to the cost of the flowers from the Company treasury.
- Section B** A Chairperson and at least two members shall be appointed by the President at the first regular meeting of the New Year.
- Section C** The Chairman of the Benevolent Committee or representative shall contact the relatives of a deceased member to see if they wish to use Company apparatus. If the family wished, the Chief shall be consulted and with concurrence of the Board of Fire Commissioners, arrangements may be made for a driver and members to ride the apparatus and provide any necessary assistance.

- Section D** The President or Chief may request all members meet at a specific time and place to pay their respects to deceased members. Members should be notified within a reasonable time by whatever means necessary.
- Section E** The committee shall see that a fruit basket or equivalent token of good will be sent to any sick or hospitalized member.
- Section F** They shall see that flowers are placed on the grave site of D. Arvin Hart each Memorial Day.
- Section G** They shall notify the President, in writing, when any member dies, of their proper name, and date of death so that records can be properly maintained.
- Section H** In coordination with the Administrative Officers, the Benevolent Committee members shall develop a set of guidelines for the distribution of flowers, fruit baskets, cards, and expressions of sympathy so that all members of the Company and their families are treated equitably. The guidelines shall be approved by the Company.

ARTICLE 13 GENERAL PROVISIONS

- Section A** Any member in an Elected Position who fails to perform their duties as outlined in this document may be removed from office by a 3/4 (75%) vote of the membership at a regular meeting.
- Section B** All amendments or additions to the By-Laws must be submitted in writing, signed by five active members and read at a regular meeting. The proposed amendment shall be tabled for at least 30 days. After discussion by the membership, the proposed amendment is adopted by approval of 75% of the Company members present at a regular company meeting, by way of secret ballot.
- Section C** Only bylaws that are clearly in the nature of rules of order i.e. those rules relating to the conduct of business may be suspended and then only by 3/4ths of the members present and eligible to vote.
- Section D** An updated, approved copy (Official Copy) of the By-Laws shall be available at all meetings. Adopted amendments shall be distributed to all members within 30 days of ratification. It shall be the responsibility of each member to attach the amendments to their own copy.
- 1) New amendments shall be attached to extra copies by the Recording Secretary.
- Section E** The Chief shall be authorized to spend a maximum total of \$350.00 for emergency purchases, without prior company approval. The invoices for such purchases will be presented to the Company treasurer, with written justification at the company meeting immediately following the purchase.

- 1) Emergency shall be defined as where there is an imminent danger to life or property or where if there is a failure to act, will jeopardize life or property.
- 2) Emergency purchases shall include the purchase of food or beverages for personnel at the scene of an incident.

Section F All uniform badges remain the property of the fire company. Upon leaving office, the Chief of the department may retain their badge.

Section G Any member dropped from the membership for any reason, shall be notified by the Business Secretary by certified mail within 30 days of being dropped.

Section H Company, as used in this Document, shall mean the body of members who make up this department and who serve the residents of the Stillwater Fire District.

Section I Parades shall count as a drill credit.

Section J Funds expended on behalf of the Company shall be approved by vote of the Company. Any person who commits Company funds without company approval may be personally liable for payment.

Section K Enforcement of Rules, Regulations and Policy of the Fire Company and Fire District

- 1) The By Laws of the Fire Company are adopted and amended by the membership and are to be enforced by the Administrative Officers elected by the Fire Company Members.
- 2) The SOGs are operational guidelines to be adopted and enforced by the Line Officers particularly the Chief Officers under the direction of the Board of Fire Commissioners.
- 3) The Fire District Regulations and Policies are adopted by the Board of Fire Commissioners and are enforced by the Commissioners. Procedural policies are enforceable directly by the Commissioners while operational policies are enforced by the Board through the Chief Officers.

Section L If any section of these by-laws shall be held invalid, in whole or in part, the remainder there of shall not be affected.

Section M Training Course Designations

The training courses noted in this document are understood to be the current designations used by NYS OFPC which are known to change from time to time. It is the intent that even though course designations change, the course material and level of training will remain the acceptable standard.

I, _____, have read and understand this document. I swear to uphold the rules and regulations as set forth herein, as a member of the Arvin Hart Fire Company.

Sign _____
Print _____

Witness _____

Date _____

This Becomes Part of the Member's Personnel Records.