

BYLAWS
OF THE
ARVIN HART FIRE COMPANY

2022 EDITION

Amended 11/8/2017
Amended 11/10/2010
Amended 10/10/2012
Amended 10/9/2013 with notations and Organization Charts
Amended June 2014
Amended January 2015
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Revised January 2015
Revised September 2015
Revised May 2016
Revised October 2017
Revised December 2021

Tom Rinaldi, Chairman
Chris Wright
Dave Duquette
Bill Ritter
Timothy Collins
Chris Miller
Nathan Paquin

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.
- Section D** The Arvin Hart Fire Company is organized for charitable, religious, educational and/or scientific purposes under Section 501(c)(3) of the Internal Revenue Code or the corresponding section of any future federal tax code. [added Nov 2014]

ARTICLE 2 MEETINGS

- Section A** Regular business meetings shall be held on the 2nd Wednesday of each month at 7:00 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 *a petition of* 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.
- i. All personnel actions dealing with members shall be determined by a written, private or secret ballot of the members present at a company meeting.
 - ii. Any member may call for a secret/written/private vote on any action voted upon by the company membership at a monthly or special meeting.

Section H Meetings shall be called to order at 7:00 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 7:15 P.M., the meeting is then postponed until the following Wednesday at the regular time.(amended Oct 2017)

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) Good and Welfare of the Fire Company
- 10) Adjournment
(amended Oct 2017)

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 their 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. All members must be of good moral character, must be at least 18 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. *[See Article 3, Section D, (1)(f) for nonresident membership)

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 Junior Members, or to candidates for membership, only to active members.

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 Class 1 or Interior Fire-fighters** are those who are:

- at least 18 years of age
- be available for training
- complete the annual Department of Labor/PESH/OSHA requirements (Attachment #4)
- complete the ICS 100, 200 & 700a courses
- participate in a minimum of 10% of the incidents and 10 drills in the twelve-month period between Annual Meetings
- be available for work details and any other activity necessary to carry out the objectives of the Fire Company
- 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 Company after April 1st 2016 must first serve a six month probationary period where they will be required to participate in an in-house training program completing Sections 1, 2 & 3 in the Company Training Task Book and attend drills to first qualify them as an

exterior firefighter, in addition to the in-house training program they may choose to obtain a certificate from the OFPC Basic Firefighting Operations (BFO) course. To qualify as a Class One interior firefighter a member must successfully obtain a course certificate from OFPC for *Interior Firefighter Operations (IFO)*. Members of any other Class may become or may be upgraded to a Class 1 interior fire fighter once they successfully obtain a certificate from an OFPC *Interior Firefighter Operations (IFO)*. Class 1 members are considered Active per the requirements of the Volunteer Firefighter Benefits Law (VFBL). (May 2016)

b) **Class 2 or Exterior fire fighters** are those members who do not desire or for some other reason cannot fulfill the requirements to be an interior Class 1 firefighter. A Class 2 member must:

- at least 18 years of age
- be available for training
- complete the annual Department of Labor/PESH/OSHA requirements (Attachment #4)
- complete the ICS 100, 200 & 700a courses
- participate in a minimum of 10% of the incidents and 10 drills in the twelve-month period between Annual Meetings
- be available for work details and any other activity necessary to carry out the objectives of the Fire Company
- be in sound health and make themselves available for a medical evaluation upon request of the Chief or Commissioners at Fire District expense

Members joining after April 1st 2016 must participate in an in-house training program and be capable of demonstrating the proficiencies outlined in Sections 1 & 2 of the Fire Company's Training Task Book or in addition to the in-house training, attending the OFPC Basic Firefighting Operations (BFO) Course.

Class 2 members are considered Active per the requirements of the VFBL. (April 2016)

- i. Members who choose to become **Fire Police** must obtain a certificate in the OFPC prescribed Fire Police Course within one year of being sworn in as fire police.
- ii. In addition they shall take the **in-house Basic Exterior Firefighting Operations (BEFO)** training where they are able to demonstrate the proficiencies in sections 1 & 2 in the Fire Company's Training Task Book, or obtain a certificate for the OFPC Basic Firefighter Operations (BFO) Course. or obtain a certificate *for the Interior Firefighter Operations (IFO) Course*. Fire Police members shall also complete the ICS 100, 200, & 700a courses and shall complete the annual Department of Labor/OSHA/PESH training requirements. (May 2016)

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/Participating Social Member

1. Definition: A Company member who wishes to be active in the fire Company administratively or socially but not firematically.
2. Participating Social Members shall participate and complete the fire Company's Orientation Program within the 1st year of joining the fire Company.
3. Participating Social Members are not required to complete the requirements for-Interior Firefighting Operations (IFO) or-Basic Exterior Firefighting Operations (BEFO) but are required to meet the following criteria to be considered active Participating Social Members:
 - i. Attend 50% of monthly and/or special Company meetings
 - ii. Attend 50% of social events
 - iii. Be an active participating member on at least 2 committees for the entire year.
4. Those members of the Company who do not meet the minimum standards as a Participating Social Member, may be considered Social Members.
5. Participating Social Members are eligible to vote for Administrative Offices as long as they meet the above requirements.
6. Participating Social Members are eligible to run for the following administrative offices after one year as an active Participating Social Member; Recording Secretary or Business Secretary.
7. Participating Social Members may be nominated for the office of Vice President after fulfilling the requirements as an active Participating Social Member for two years immediately preceding nominations and may run for the office of President upon completing one year as Vice President and fulfilling the requirements as an active Participating Social Member during the year immediately preceding nomination.
8. Participating Social Members are not eligible by State Law to participate in the LOSAP retirement program.

(Amendment Note: October 2012 Junior membership section stricken due to previous elimination by fire Company, new section (d) regarding Participating Social Member adopted by fire Company)

- e) **Class 5/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 (VFBL).
- 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.
- f) **Class 6/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 and lose VFBL insurance coverage.
 - c) Any member moving out of the District, who fails to remain an active member, shall be dropped from the membership after one year.
- g) **Class 7/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

- h) **Class 8, Junior Members**: Shall be elected members who are either 16 or 17 years of age and shall be active candidates for training to become regular company members at the age of 18. Junior members shall become regular members of the fire company by a majority vote of the members at the next regular company meeting after the junior member has reached age 18.

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

- 2) 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 APPLICATION TO MEMBERSHIP

Section A The application of a candidate for membership shall be submitted to *a Company Officer for action and shall include a waiver of driver license information.*
(Amended October 2013, removed \$3.00 fee and added information requirement)

Section B Each candidate for membership must;

- 1) complete an application on the prescribed form
- 2) pass the prescribed physical exam, *as a condition of continued membership.*

a. Candidates shall be voted in by the Company, approved by the Commissioners, and must pass the physical screening as a condition of passing probation.

- 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.

[Amended October 2013 added language to (2) and added (2)(a)]

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 shall be approved by 50% of the voters in attendance and those residing outside of the Fire District's 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. [*Note: the county has a third party manager that manages the self-insurance fund.*]

Section E Probationary Members

Probationary members 18 years of age or older 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.

- 1) Probationary 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

4) Probationary members shall:

- attend drills and training sessions
- work toward the goal of being an exterior firefighter by being able to demonstrate the proficiencies outlined in Sections 1 & 2 of the-Fire Company Training Task Book
- take the ICS 100, 200 & 700a
- take the required OSHA/PESH training
- read and review the Company By-Laws, Fire District Policies and Fire Company Operational SOGs.

a. The required OSHA/PESH training shall include the following subjects as a minimum; Hazardous Materials/Emergency Response, Respiratory Protection, Blood Borne Pathogen, Right to Know, Workplace Violence and Fire Extinguishers.

5) Upon successful completion of the 6-month probation and in-house training members will be classified as exterior firefighters.

6) Probationary-members may be reclassified as interior firefighters by completing the requirements in section #3 of the Company Training Task Book and upon obtaining a certificate from the *OFPC Interior Firefighting Operations (IFO)*.(May 2016)

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 and the chairperson, consisting of five members, at the October meeting. The nominating committee shall be composed of 5 active members of the fire company, one being a Chief Officer. No one appointed to the nominating committee shall currently hold and office or have the *intention* of running for office except for the Chief officer appointed to the board.^(1/14/15) 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 a 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.

SPECIAL NOTE CLARIFICATION: *Nominations will be made for any position by the nominating committee or from the floor, there can be more than one qualified member nominated for each one of the positions, there is no superior or*

lesser Lieutenant's or Captain's position, they are horizontally equal and stand alone. The only line officer position where there are vertical command levels are the three chief's positions: Chief, Deputy and Assistant in that order. If there is a qualified member nominated for each of the positions in November, additional nominations can come off the floor for each position at that meeting. If there is a contested position it can be voted by the qualified membership at the annual meeting, if the position is not contested then nominations can be closed and the secretary can cast a single ballot as an uncontested position. The only time a member can start at a superior position and run down for an inferior position is from Chief to Deputy, Deputy to Assistant, any Chief's position to any Captain's position or any Captain's position to any Lieutenant's position.

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; their 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. **Note:** DOCUMENTED PROOF OF ANY EQUIVALENCIES SHALL BE THE RESPONSIBILITY OF THE CANDIDATE SEEKING A LINE OFFICER POSITION AND THE BOARD OF FIRE COMMISSIONERS AS THE AUTHORITY HAVING JURISDICTION (AHJ) SHALL CONSIDER AND APPROVE ANY DOCUMENTED EQUIVALENCIES.
 - c. **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. Must obtain a certificate in at least three of the five Fire Officer 1 modular series classes prior to nomination or have obtained Firefighter II prior to nomination. **EXCEPTION:** an extension of time to obtain the course may be approved by the Board of Fire Commissioners if the course has not been offered during the first year that the elected lieutenant is occupying the office.
 - 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 or as an alternate the candidate shall complete the National Fire Academy NFIRS 5.0 Self-Study Q0494 on-line course and produce an NFA Certificate of Completion for the file.
 - vi. **Shall be capable of demonstrating the proficiencies outlined in the OFPC “Best Practices” guidance document. (Sept 2015)**
- d. Captain**
- ii. Shall have served as a Lieutenant for two years preceding election with no more than 3 years lapsing between nomination/election to a captain’s position and previous service as service as lieutenant.
 - iii. Shall have completed all course certificate requirements for *the Lieutenant’s position*.
 - iv. Shall have received a certificate for ICS 800
 - v. Shall have received a certificate for NFPA 1403 Training or equivalent competencies which may be covered in other courses within one year after being elected and prior to conducting any live burn training. [OFPC Live Fire Training 3-hour course would be considered an acceptable alternative]
 - vi. Shall have received a certificate for Principals of Building Construction/Combustible from NYS OFPC 12 hour course.
 - vii. **Shall be capable of demonstrating the proficiencies outlined in the OFPC “Best Practices” guidance document. (Sept 2015)**
- e. Assistant Chief**
- ii. Shall have served four years immediately preceding election as a line officer, with at least one of those years as captain
 - iii. Shall have completed all course certificate requirements for Captain
 - iv. Shall have obtained a certificate for **ICS 200**.(Sept 2015)
 - v. *Shall attend and document six (6) hours of continuing education annually from any relevant fire service training course.*
 - vi. Shall obtain a certificate in Hazardous Material Incident Commander (12 hours) within 1 year of being elected to officer with an option of a 1-year waiver.
 - vii. **Shall be capable of demonstrating the proficiencies outlined in the OFPC “Best Practices” guidance document. (Sept 2015)**
- f. Deputy Chief**

- i. Shall have served one year as Assistant Chief within 3 years preceding nomination/election and completed the training requirements for Assistant Chief.
 - ii. *Shall attend and document six (6) hours of continuing education annually from any relevant fire service training course.*
 - iii. ***Shall be capable of demonstrating the proficiencies outlined in the OFPC “Best Practices” guidance document. .(Sept 2015)***
- g. Chief**
- i. Shall have served at least two years (combined) as Assistant Chief and Deputy Chief immediately prior to election.
 - ii. *Shall attend and document six (6) hours of continuing education annually from any relevant fire service training course*
 - iii. ***Shall be capable of demonstrating the proficiencies outlined in the OFPC “Best Practices” guidance document. .(Sept 2015)***

[NOTE THIS IS THE GRAND-FATHER CLAUSE]

- 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 most current By Laws: 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 as long as they have been continuously active members of the fire department.
- 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) page 13

- 1) To be eligible as a fire police officer, candidates must have served as a sworn fire police person for at least one year immediately preceding election to run for Lieutenant and one year as lieutenant to be nominated to the Captain’s position.
- 2) Shall have received a certificate in ICS 100, 700 and NYS OFPC **Basic Exterior Firefighting Operations (BEFO)** formerly known as Scene Support Operations or Fire Fighter 1.
- 3) Shall have received a certificate in the NYS OFPC Fire Police Course. (Sept 2015)

Section J Qualifications to be nominated for an Administrative Office

(Language in italic was added in October 2012)

- 1) The President, Vice President, Treasurer, and Trustees must be Active, qualified voting members of the Fire Company or a Participating Social Member for no less than two consecutive years immediately prior to

nomination. In addition, a Participating Social Member must serve one year as Vice President immediately preceding nomination as President.

- 2) The Recording Secretary, Sergeant at Arms must be Active, qualified voting members of the Fire Company *or Participating Social Members* 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 *an Active or Participating Social 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. Not all vacancies need to be filled, if there are no qualified candidates to fill a position, it should remain vacant until there is a qualified candidate willing to run for the vacant position. (1/14/15)

ARTICLE 6 JOB DESCRIPTIONS 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 Logbook 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.
3. **Exception:** If there are not two candidates for both the Business and Corresponding Secretary positions, one candidate may perform the duties of both Business and Corresponding Secretary. (1/14/15)

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) Pursuant to General Municipal Law §209-c members of the Company, who are designated as Fire Police, must complete the 21-hour New York State OFPC Fire Police School, within one year of their appointment. A one-year extension may be granted by the *Chief (6/2014)* in writing due to extenuating circumstances. If these requirements are not fulfilled, the member shall lose their Fire Police designation.
- 2) Town Law § 178 authorizes the fire district secretary to act as clerk of the Board of Fire Commissioners, therefore may administer any necessary oath in any matter or proceeding before them, or in conjunction with any paper to be filed with them as such officer. *(1/14/15)*
- 3) Shall assist the Chief in any way as the Chief may determine necessary.
- 4) Shall be under the supervision of the Fire Police Captain and/or Lieutenant.
- 5) Shall have obtained a certificate for the NYS OFPC Basic Exterior Firefighting Operations (BEFO) or Sections 1 & 2 of the Fire Company Training Task Book to be qualified to be Fire Police. *(May 2016)*
- 6) 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 *Chief (6/2014)* in writing due to extenuating circumstances. If these requirements are not fulfilled, the member shall lose their Fire Police designation.
- 7) *Upon becoming a member of the Fire Police, members must be sworn by the Stillwater Town Clerk/or the Fire District Secretary and obtain documentation for the personnel file. (6/2014)*
- 8) 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 chairpersons shall be responsible to report to the membership 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 member's 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 Company 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 Company 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 thereof 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.

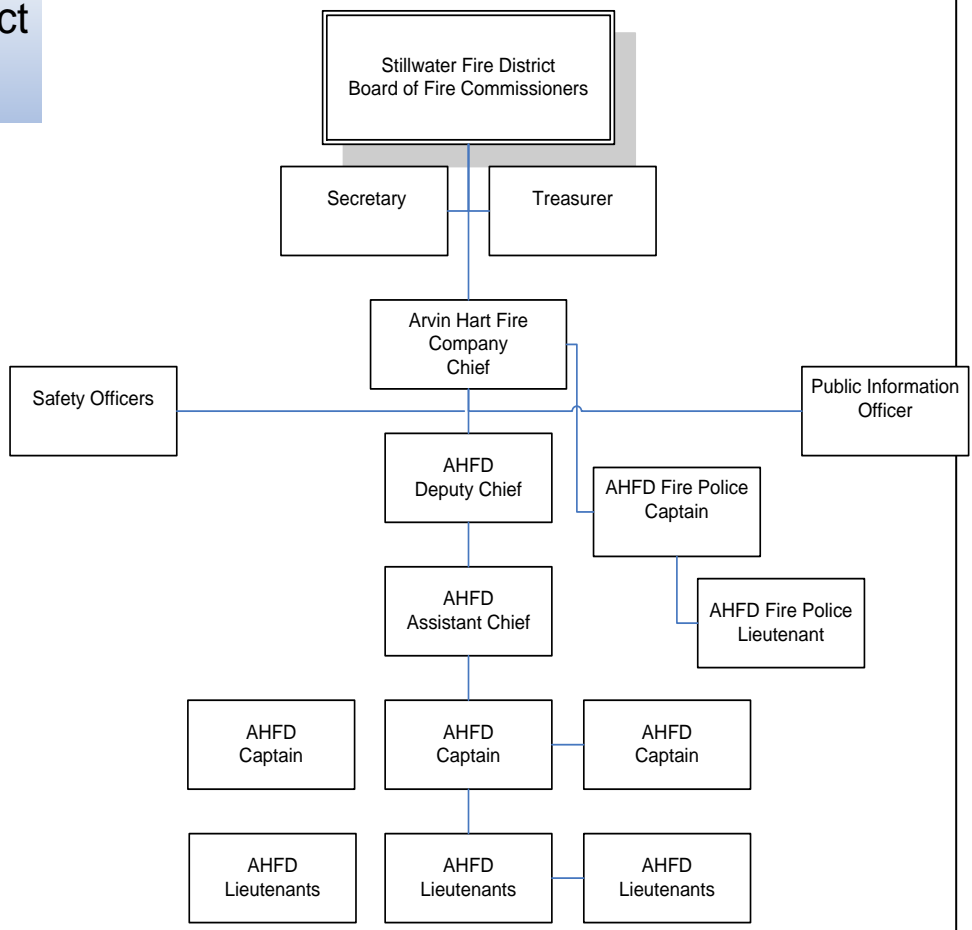
Sign _____
Print _____

Witness _____
Date _____

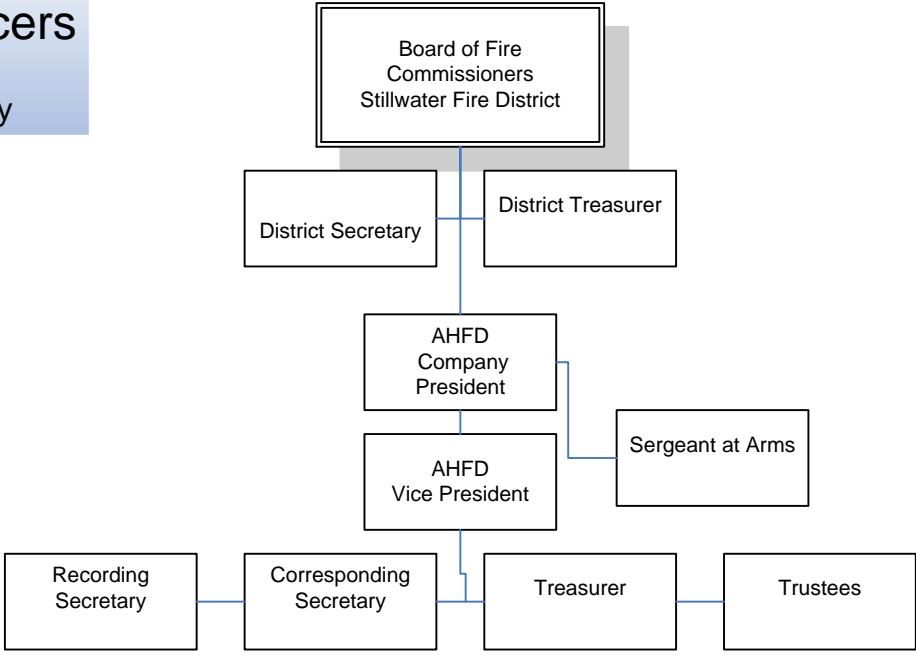
This Becomes Part of the Member's Personnel Records.

BY LAWS ATTACHMENT #1

**Stillwater Fire District
Organization Chart
Line Officers**



Administrative Officers
Organization Chart
Arvin Hart Fire Company



Recommended Best Practices For Fire Department Training Programs

1. Introduction:

In response to a request from the New York State Department of Labor (NYS-DOL), the New York State Office of Fire Prevention and Control (OFPC) consulted with fire service organizations and have subsequently established these recommended “Best Practices”. The goal of these “Best Practices” is to assist fire departments in complying with the Occupational Safety and Health Administration (OSHA) Regulation 29 Code of Federal Regulations (CFR) 1910.156(c)(1), [“§1910.156(c)(1)”] which in New York State is enforced for public employees and firefighters by the Department of Labor’s Public Employee Safety and Health Bureau (PESH).

2. Purpose:

This document and the guidance contained herein are not intended to formulate a regulatory mandate. The purpose of this guidance document is to provide specific training courses and core content of “Best Practices” to functionally identify core competencies that should be included in all training, based upon the job duties of individual firefighters. Such recommendations should not be considered to be all of the necessary elements of a comprehensive training program, but the information will be helpful as a guide in developing a minimally adequate training program.

3. Scope:

OSHA Regulation Section 1910.156(c)(1), applies to all fire departments in New York State, and requires that members be provided with training and education commensurate with the duties and functions that such members are expected to perform. Further, §1910.156(c)(1) provides that those who may find themselves as or are designated as Incident Commanders and training instructors must be provided with training and education which is more comprehensive than that provided to the general membership.

Training and education is not required to come from any one particular source or class of instruction and may include experience, vendor training, department in-house training and training that is provided by the State’s fire service organizations. Regardless of where the training is obtained it is imperative to document any and all training that is being utilized to satisfy the competencies listed in this policy. It is imperative that all training curriculums and programs must be thoroughly documented as part of each fire departments recordkeeping policy in order to afford training credit to its members.

4. Definitions:

For the purposes of this guidance “fire brigade” as referenced in the OSHA regulation means fire department. Fire department is defined as any entity providing fire and emergency rescue services including but not limited to career, paid, volunteer or combination fire departments; for example a village fire

department, fire district, fire protection district, independent fire company providing fire protection, or a privatized fire brigade providing fire protection in an industrial or commercial environment.

5. Training Program Best Practices By Function:

Fire departments in New York State vary widely in type, function, capability and size. As such, each may establish training and education curriculum for their personnel which best reflects the hazards or complexity of their response area. Accordingly, a training and education curriculum which is developed in-house or by an outside consultant or vendor which addresses the specific competencies for each category of duty or function as outlined below, would be deemed to satisfy compliance with §1910.156(c)(1).

Nothing in these “Best Practices” is intended to limit a fire department from establishing training requirements which exceed these recommended core competencies or limit a fire department from developing and using past, current or future training classes, drills, or other classroom training and/or pertinent topical training subjects to satisfy section 1910.156(c)(1). New and/or probationary firefighters should understand and demonstrate the core competencies contained herein during the performance of their duties and assignments. Mastery of core competencies and demonstrated skills should be commensurate with assigned duties and functions. Nothing in this document precludes a probationary firefighter from responding to an incident as they progress through their training. However, it is the responsibility of the officer in charge (OIC) to ensure that the probationary firefighter is only assigned those duties for which they have been trained.

The competencies listed in each section are not in order of importance or in any particular sequence. When core competencies appear in multiple sections the skill level of the competency needs to be commensurate with the duties and function that an individual is expected to perform.

5.1 Exterior Firefighters:

All firefighters should complete a training program(s) addressing these core competencies:

- 1) Complete a training program addressing the subject areas/core competencies associated with OSHA 29 CFR1910.120 requirements or hazardous materials first responder operations;
- 2) Complete a training program addressing the subject areas/core competencies associated with infection control to achieve compliance with OSHA 29CFR1910.1030;
- 3) Complete the objectives for basic first aid;
- 4) Complete the objectives for cardio-pulmonary resuscitation (CPR);
- 5) Completion of the latest version of the National Incident Management System (NIMS) courses ICS-700 and ICS-100;
- 6) Fire safety principles familiarization;
- 7) Tool and scene safety awareness;
- 8) Building construction in relation to fire service operations;
- 9) Understanding fire behavior and development;
- 10) Familiarization with personal protective equipment (PPE) and self-contained breathing apparatus (SCBA) as assigned;
- 11) Familiarization with fire service communication operations;
- 12) Familiarization with incident management principles;
- 13) Familiarization with fire prevention principles;
- 14) Arson awareness;
- 15) Familiarization with fire extinguisher operations;
- 16) Familiarization with hose practices, nozzles and fire streams (excluding interior structural fire attack);
- 17) Understanding of water supply operations;
- 18) Familiarization with ground ladder operations;
- 19) Ropes and knots.

Related training programs which may address some or all of the specific core competencies, stated above, for exterior firefighters include:

1. NYS Office of Fire Prevention and Control
 - a. Basic Exterior Firefighting Operations (Competencies 6 – 19) and Hazardous Materials First Responder Operations (Competency 1); or
 - b. Firefighter I (Competencies 1 and 6 – 19), [*Competencies 3 – 5 are prerequisites for graduation from the FF1 Program*]
2. NYS OFPC Legacy (Historical) Training recognized as equivalent:
 - a. Scene Support Operations (Competencies 6 – 19) and Hazardous Materials First Responder Operations (Competency 1)
 - b. Firefighting Essentials (Competencies 6 – 19) and Hazardous Materials First Responder Operations (Competency 1), or
 - c. Basic Firefighter (Competencies 6 – 19) and Hazardous Materials First Responder Operations (Competency 1)
3. Suffolk County Fire Academy, Scene Support Operations (in addition, a Hazardous Materials Operations level training program will need to be completed)

5.2 Interior Firefighters:

In addition to core competency training provided for all exterior firefighters, interior firefighters should complete a training program(s) addressing the following core competencies:

- 1) How to initiate a response to a reported emergency;
- 2) Fire service communication operations;
- 3) Familiarization with assigned self-contained breathing apparatus (SCBA) during emergency operations;
- 4) Safe fire apparatus response to an emergency incident;
- 5) Scene safety and operating at an emergency incident;
- 6) Familiarization with forcible entry techniques;
- 7) Operating as a team member within a hazardous area;
- 8) Familiarization with ground ladder operations;
- 9) Familiarization with safe operations at vehicle fires;;
- 10) Understanding outside or exterior fires and defensive operations;
- 11) Familiarization with structure fire search and rescue operations;
- 12) Familiarization with interior fire attack operations;
- 13) Familiarization horizontal and vertical ventilation operations;
- 14) Understanding overhaul operations;
- 15) Familiarization with salvage and property conservation techniques;
- 16) Familiarization with water supply operations;
- 17) Understanding of fire chemistry and behavior;
- 18) Familiarization with fire extinguisher operations;
- 19) Ground cover fires;
- 20) Fire equipment, hose and PPE inspection and maintenance;
- 21) Building construction related to interior structural firefighting operations.

Related training programs which may address some or all of the specific core competencies, stated above, for interior firefighters include:

1. NYS Office of Fire Prevention and Control
 - a. Firefighter I (Competencies 1 – 21)

- b. Certified basic firefighter training program under NYS Firefighter minimum training standards (Competencies 1 – 19 of the Exterior Firefighter and 1 – 21 of the Interior Firefighter)
- 2. NYS OFPC Legacy (Historical) Training recognized as equivalent:
 - a. Firefighting Essentials or Essentials of Firefighting, Initial Fire Attack and Hazardous Materials Operations (Competencies 1 – 21)
 - b. Basic Firefighter, Intermediate Firefighter and Hazardous Materials Operations (Competencies 1 – 21)
- 3. National Certification for Firefighter I and National Certification for Hazardous Materials Operations- Core Competencies
- 4. Nassau County Fire Academy
 - a. Essentials of Firefighting and Primary Firefighting
- 5. Suffolk County Fire Academy, Firefighter I

5.3 Apparatus Operators:

In addition to core competencies for exterior firefighters, apparatus operators should complete a training program addressing the following core competencies:

- 1) Performing routine preventive maintenance, inspection and being capable of initiating the service of vehicle systems, components, equipment, tools and appliances assigned to the vehicle and be capable of initiating correction of any deficiencies noted;
- 2) Be capable of documenting routine maintenance, inspection and service of the vehicle's systems, components, equipment, tools and appliances mounted on or assigned to vehicle. Be capable of initiating correction of any deficiencies noted during this process or any corrective actions required to address deficiencies;
- 3) Be capable of demonstrating safe operation of the vehicle in compliance with applicable laws, regulations and standards during routine driving and emergency responses
- 4) Be capable of demonstrating defensive driving practices;
- 5) Be capable of demonstrating safe maneuvering of the vehicle around obstructions and in restricted spaces both forward and reverse;
- 6) Be able to demonstrate safe backing procedures and the use of a spotter;
- 7) Be knowledgeable of operational capabilities and limitations of the vehicle, its systems and components, equipment, tools and appliances mounted on or assigned to that vehicle;
- 8) Understand the operation of the functional systems, tools, equipment and appliances mounted on or assigned to the vehicle;
- 9) Be capable of demonstrating the ability to operate the pump or other functional systems on the apparatus.

Related training programs which may address some or all of the specific core competencies, stated above, for apparatus operators include:

1. NYS Office of Fire Prevention and Control
 - a. Apparatus Operator- Emergency Vehicle Operator's Course (EVOC), (Competencies 1 – 9, in addition to local training specific to the fire department's vehicles)
2. Insurance Company sponsored EVOC programs with a practical skills driving course component, in addition to local training specific to the fire department's vehicles
3. Suffolk County Fire Academy
 - a. Emergency Vehicle Operations (EVOC), in addition to local training specific to the fire department's vehicles

4. National Certification for any of the Apparatus Operator series, in addition to local training specific to the fire department's vehicles

5.4 Fire Officers / Incident Commanders:

As outlined in section 1910.156(c)(1) of the OSHA regulations, those chiefs, officers or firefighters who have been designated or may perform the duties of a fire service incident commander must receive training which is superior than that provided to the general membership of the fire department. In addition to the training provided to the general membership those who may be acting as an Incident Commander should have received training prescribed for an interior firefighter, general knowledge of apparatus/pump operations, as well as education in incident command operations. Incident command training and education is not required to come from any one particular source or class. The training to educate those designated or who may find themselves in the position as an Incident Commander should include supervision, leadership, and command methodologies necessary for mitigating emergency situations during hazardous and stressful environments incorporating the best safety practices.

In addition to the core competencies required for interior firefighters and apparatus operators, incident commanders should have a demonstrated knowledge and experience in the following core competencies:

- 1) Safe and effective assignment and supervision of tasks, or responsibilities to managing unit officers at emergency incidents (including those on highways and roadways), during training and under routine or non-emergency circumstances;
- 2) Be capable of communicating clear direction and supervision of members during training;
- 3) Knowledge of administrative policies and procedures and records management, including incident reports;
- 4) Knowledge of building construction and fire behavior, including structural soundness and the significance of fire load;
- 5) Be capable of evaluating and implementing scene security and evidence preservation;
- 6) Be capable of developing and implementing an incident action plan;
- 7) Be capable of conducting a post-incident analysis;
- 8) Be knowledgeable of safety principles, including injury and accident prevention;
- 9) Be familiar with fire department injury and accident reporting requirements according to department policies;
- 10) Be familiar with firefighter health and wellness for recognition of issues, e.g. stress, heart attack and other issues that would hinder firefighter's response capabilities;
- 11) An understanding of strategy, tactics and operations in fire suppression;
- 12) An understanding of vehicle extrication procedures and department capabilities and limitations;
- 13) Awareness of other situations expected to be encountered in the department's immediate response area;
- 14) Be capable of initiating scene size-up procedures;
- 15) Be familiar with initial arrival report ("C.A.N. [Conditions, Actions, Needs] - Report") protocols;
- 16) Be familiar with radio communications operations;
- 17) Be capable of communicating fire-ground reports (location of fire, water on fire, searches, knock-down, etc.);
- 18) Be familiar with urgent and mayday communication protocols;
- 19) Be familiar with how to mitigate miscellaneous emergencies (gas leaks, CO, electrical, elevator rescues, hazmat containment, etc.);
- 20) Understand RIT/FAST Operations and how to implement them;

- 21) Obtain a certificate for the latest version of NIMS ICS-200;
- 22) Understanding the use and limitations of special fire department equipment (gas meters, thermal imaging cameras, self-escape equipment, gas powered tools, etc.).

Related training programs which may address some or all of the specific core competencies, stated above, for incident commanders include:

1. NYS Office of Fire Prevention and Control
 - a. Fire Officer I (2009) (Competencies 1 – 20 and 22) and ICS-200 (Competency 21)
2. NYS OFPC Legacy(Historical) Training recognized as equivalent:
 - a. Introduction to Fire Officer and Fire Officer I (Competencies 1 – 20 and 22) and ICS-200 (Competencies 21)
3. National Certification for Fire Officer I(Competencies 1 – 20 and 22) and I-200 (Competency 21)
 - a. First Line Supervisors Training Program(Competencies 1 – 22)
4. Suffolk County Fire Academy
 - a. Introduction to Fire Officer and Fire Officer I and ICS-200

5.5 Training Guidance for Fire Department Training Instructors:

Fire department training instructors must receive a higher level of training and education than the fire department members they will be instructing. This includes being more knowledgeable about the functions to be performed by the fire department and the hazards involved. The instructors should be qualified to train fire department members and demonstrate skills in communication, methods of teaching, and instructional motivation.

Training Instructors should demonstrate and possess the following skill set core competencies to instruct personnel effectively which includes but is not limited to:

- 1) Preparation;
- 2) Presentation;
- 3) Application;
- 4) Testing;
- 5) Summary;
- 6) Knowledge base of relevant subject matter, applicable policies, rules and regulations.

Related training programs which may address some or all of the specific core competencies, stated above, for fire department training instructors include:

1. NYS Office of Fire Prevention and Control
 - a. Principles of Instruction (Competencies 1 – 6)
 - b. Fire Instructor I (Competencies 1 – 6)
2. NYS OFPC Legacy(Historical) Training recognized as equivalent:
 - a. Training Officer Workshop I & II (Competencies 1 – 6)
 - b. Educational Methodology (Competencies 1 – 6)
3. National Certification for Fire Instructor I (Competencies 1 – 6)
4. Suffolk County Fire Academy
 - a. Principles of Instruction
 - b. Fire Instructor I
5. Nassau County Fire Academy
 - a. Principles of Instruction

6. Training Provider Contact Information:

Included with the recommended core competencies for each category of firefighter are examples of specific training courses which could fulfill various core competencies and ultimately will help ensure compliance with §1910.156(c)(1). Contact information for each provider is listed below:

NYS Office of Fire Prevention and Control
www.dhSES.ny.gov/ofpc/training/training-outreach.cfm

Suffolk County Fire Academy
www.scfa-li.org

Nassau County Fire Academy
www.veebfsa.org

BY LAWS ATTACHMENT #4

Fire Department Annual Refresher
 Required for all Firefighters
 In accordance with 29 CFR 1910.156(c)(2)
 Requirement – all fire department members shall be provided with training at least annually.

Annual Firefighter Training - UPDATE

The following chart details what is **required** to be addressed each year per OSHA regulations. The remainder of the annual training should address what your fire department feels will best suit your membership based on questions, injuries, accidents, close calls and changes to activities, equipment or processes. The next page includes some suggested topics for your consideration. Also review your call types from the previous year to help you select annual refresher training topics. Special hazard recognition in the district is also a great topic which can be selected based on a survey of your response area(s). The annual refresher training is required to maintain the proficiencies from your area of assignment (interior, exterior, apparatus, etc.) and should be considered when selecting topics for training.

This annual refresher does not take into account special operations or activities that would exceed the requirements for this refresher training and should be considered separately based on the needs of the firefighters.

Training Agenda

Topic	Standard	Date Provided	Number of Participants
Hazardous Materials/Emergency Response	1910.120(q)(8)		
Respiratory Protection	1910.134(k)(5)		
Blood Borne Pathogen	1910.1030(g)(2)(ii)(B)		
Right to Know	Article 28 Section 878		
Fire Extinguishers (if required to use)	1910.157(g)(2)		

Some Suggested Topics for the Annual Refresher – what is most important is that you identify what your members want and need for the training and that you keep it fresh and interesting. This is your opportunity to address anything that could or has injured your members.

- Hazard Recognition:
 - Structural
 - Electrical
 - Chemical
 - Thermal
 - Mechanical
 - Biological hazards
- Fire Station Safety:
 - Walking/working surfaces
 - Electrical equipment
 - Mechanical Equipment
 - Machine guarding
 - Thermal equipment
 - Lock Out/Tag Out
 - Exits
- Response Safety: Over the road
 - Apparatus speed
 - Equipment stowage
 - Confined space entry
- Fire Scene Safety:
 - Apparatus location
 - Apparatus movement

Portable electrical equipment
Hose operations
Building Construction
Scene size-up
Fire Behavior
Protective Clothing: Recognition of degradation
Limitations of PPE
SCBA Use: Proper masking techniques
Testing Procedures
Cleaning and storage
SCBA Emergency Procedures
Tool and Equipment: Manual tool maintenance, inspection and proper use
Equipment maintenance, Inspection and proper use
Hydraulic tool maintenance, inspection and use

Training should be specific to your firefighters needs and involve them as much as possible in the selection of topics.

ALL TRAINING MUST BE DOCUMENTED