

PREAMBLE

In adopting the following By-Laws for our Company, we pledge to sustain our officers in the discharge of their respective duties and to hold ourselves bound in law and honor to conform and abide by these By-Laws in every respect. All members shall be of good moral conduct.

ARTICLE I

NAME

This Company shall be known as the "WEST NYACK FIRE ENGINE COMPANY NO.1, INC."

Its object is to render service in the extinguishment of fires and the preservation and protection of life and property.

ARTICLE II

MEMBERSHIP

Membership shall be divided into six (6) categories, to wit: Probationary Active, Active, 25 Year, Life, Associate and Honorary.

Section 1 - DUTIES OF MEMBERS

It shall be the Duty of all Probationary Active, Active, 25 year and Life Members to attend and support all functions of the Company. The functions are defined as follow: Fires, Emergency Calls other than Fires, Fire Drills, Chief's Call, Regular or Special Meetings of the Company, Parades, Fund Raising and any other functions deemed necessary by the Chief or President for the good and welfare of the Company.

## Section 2 - MEMBERSHIP CATEGORIES DEFINED

A. Probationary Active Member - Every able bodied person between the ages of 16 and 45 years and residing within the boundaries of the West Nyack Fire District or otherwise qualified under the provisions of Section 176-B of the Town Law, is eligible to apply for Probationary Active Membership in the Company. Any person elected to membership of the West Nyack Fire Engine Company # 1, Inc., must reside within the boundaries of the West Nyack Fire District. The membership of any person elected into the West Nyack Fire Engine Company #1, Inc., shall become effective when approved by resolution of the Board of Fire Commissioners. The membership of any member shall terminate when that member ceases to be a resident of the West Nyack Fire District except as otherwise noted below. The fire company may authorize the continued membership of any member where such member notifies the secretary of the fire company (a) that he plans to change his residence to outside of the West Nyack Fire District and (b) that by reason of his residence in the vicinity or his usual occupation he will be available to render active service as a volunteer fireman in the West Nyack Fire District. Such authorization shall be by a two-thirds vote of the members of the West Nyack Fire Engine Company #1, Inc., at a regular or special meeting. Such authorization shall not become effective unless approved by resolution of the Board of Fire Commissioners. Any membership continued pursuant to the above provisions shall terminate when the member cannot meet either of the requirements. Any person, who cannot meet the residence requirements when making an application to join the West Nyack Fire Engine Company # 1, Inc., may be elected to membership if by reason of his residence in the vicinity or his usual occupation he will be available to render active service as a volunteer fireman to the West Nyack Fire District. A two-thirds vote of the members of the West Nyack Fire Engine Company #1, Inc., at a regular meeting is required. Such approval shall not become effective until approved by resolution of the Board of Fire Commissioners. The membership of any member so elected to the West Nyack Fire Engine Company # 1, Inc., by the above process shall terminate when the member cannot meet either of the requirements. Any person who has been convicted of a felony shall not be permitted to apply for active membership of the Company. Any active member who is convicted of a felony will immediately surrender his membership to the Company upon the conviction without hearings or charges filed. All rights will be lost as defined in Article VIII, Section 3 - Expulsions, paragraph indicated as NOTE:.

Approved application forms for Probationary Active Membership shall be obtained through the Chief's Office. Applications shall be proposed by an Active Member in good standing or three (3) persons who reside within the boundaries of the West Nyack Fire District. Application forms, when completed in their entirety, shall be submitted to the Membership Committee along with a FIVE DOLLAR (\$5.00) initiation fee. The Membership Committee shall review and perform the appropriate inquiries into the qualifications of the applicant and shall report their recommendations to the Company no later than NINETY (90) DAYS following receipt of said application. When applications are approved by the Membership Committee and the FIVE DOLLAR (\$5.00) initiation fee is paid to the Financial Secretary, the application shall be read in its entirety to the Membership at two (2) consecutive monthly meetings. When an applicant is rejected, the Membership Committee shall report to the Company and state their reasons for the rejection, the decision of the Membership Committee shall stand and cannot be reversed by a Company vote. The applicant must be notified by the Recording Secretary and their initiation fee of FIVE DOLLARS (\$5.00) be returned. Applicants rejected cannot reapply for membership until one (1) year passed. At the same regular monthly meeting when the second (2nd) reading of the approved application is completed, the applicant shall be duly balloted for by written ballot distributed at the meeting to all members eligible to vote. An affirmative vote of TWO-THIRDS (2/3) of all ballots cast is required in order for the applicant to be notified by the Financial Secretary. Blank ballots shall not be counted in the votes cast. Every applicant duly elected to the Probationary Active roster shall serve a probationary period of twelve (12) months which shall begin upon election. During such period the Probationary Active member shall be required to attain FORTY (40) % of all functions and complete a mandatory training program prescribed by the West Nyack Board of Fire Commissioners through the Chief. Said applicant shall be entitled to all privileges of an

Active Member except the right to vote, hold office or be eligible for Benevolent Fund Death Benefit. At the end of the first six (6) month probationary period, the Membership Committee shall review the Probationary Active Member's record and performance, which shall include member's functions, required schools and overall participation in the Company. After this review, the Membership Committee shall make a recommendation to the Company as to continue the probation of said member's remaining six (6) months or to remove said member from the active rolls of the Company. If said member has been approved, at the end of the twelfth (12) month of probation, the Membership Committee shall meet once again to review the Probationary Active members record and performance and shall render a report to the Company by recommending said member be placed on the Active Membership roster or extend said members probationary period or recommend the member's name be removed from the Company rolls. If the Membership Committee recommends said member be placed on the Active Membership roster said member must be duly balloted for in an affirmative vote of TWO-THIRDS (2/3) of all ballots cast in order for the Probationary Active Member to be declared elected to the Active Membership roster. If the Membership Committee recommends an extension to the member's Probationary period or recommends removal from the Company rolls they shall render a report to the Company stating their reasons. If the member's name is removed from the Company rolls they cannot re-apply for membership for a period of one (1) year. (REVISED 1/91, 12/94, 4/03) (4/10)

## B. Active Member

(1/2015) Members of the West Nyack Fire Department are required to make a certain percentage of functions, which includes training, meetings or fire calls and defined as follows on a January to December calendar year:

New members to the credited completion of the fifth (5) year - 25%

Year six (6) to the credited completion of the tenth (10) year - 20%

Year eleven (11) to the credited completion of twenty (20) - 15%

Over twenty-one (21) years (Life Member) - 0%\*

\*Any member who has completed fifteen (15) credited years in the West Nyack Fire Department and two (2) years as Chief of the West Nyack Fire District is eligible to be in this bracket.

*(Life members will need to meet district minimum functions in order to covered by the district)*

All Members percentages will be reviewed every January for the prior year of service. The percentages will be posted monthly in the radio room for each member to monitor their status. If a member fails to scan their finger for a function, said member will have one (1) week from the date and time of said function to notify the Officer/Member in charge (Administrative Line/Chief line officers). If a member does not reach their required percentage they will not be given credit for that year towards their Life Membership. Said member will remain in an active status to be productive to the Department as long as company minimum is met. All members are mandated to make over 10% of functions (Except Life Members). If a member fails to meet the mandated minimum percentage he or she must write a letter to the membership committee stating reasons for not making company minimum. If a member is below the company minimum for two (2) consecutive years, barring extenuating circumstances as outlined below, they will automatically be dismissed from the Department. A dismissed member may reapply for membership after one (1) year.

New members will remain on probation for at least one (1) year and until all required classes are met and approved by the Chiefs office. A probationary member will be monitored and reviewed every six (6) months until they are voted off probation by membership.

**Members may have extenuating circumstances as to why they are unable to fulfill their mandated percentage. The following definitions are tolerable explanation as to why company minimum cannot be upheld:**

Medical - A severe or debilitating medical condition is confronted by the member or a member of their immediate family. Member will submit, in writing by January 15th to the Membership Committee, their current status to the membership committee for review.

Education - Member in a full time college or educational institute (Excluding

High School) for a maximum of five (5) years. Member will submit, in writing by January 15th to the Membership Committee, their current status to the membership committee for review.

Military - Military service in any of the recognized armed services of the United States of America. This exemption is good for a maximum five (5) years. After this time said member will submit, in writing, their current status to the membership committee for review.

Hardship - A personal, social or financial hardship that said member has encountered with his personal life that is distracting them from maintaining the company minimum. Member will submit, in writing by January 15th to the Membership Committee, their current status to the membership committee for review.

### C. Life Member

Every Active Member who completes Twenty (20) active years of firematic service. in the West Nyack Engine Co. No. 1, Inc.; or who has reached the age of SIXTY-FIVE (65) years; or who has fifteen (15) active years of firematic service in the West Nyack Fire Engine Co. #1, Inc., and who completes two full terms as the Chief of the Department, shall be entered on the Company roster as a Life Member and shall receive a gold Life Membership badge, and shall be entitled to receive all benefits available to "Active" members. (REV. 4/94)

### Section 3 - SPECIFIC INSTRUCTIONS TO ALL PROBATIONARY ACTIVE, ACTIVE, 25-YEAR AND LIFE MEMBERS

1. When a fire alarm sounds every Probationary Active, Active, 25-Year and Life Member shall report immediately to the Line Officer in Charge at the Firehouse. In the absence of a Line Officer, the first Active Member arriving at the Firehouse shall take command until the arrival of a Line Officer or **an ex-chief, an ex-officer**, a pump operator or the senior experienced active member.

2. Any Probationary Active, Active, 25-Year and Life Member shall report immediately to the Line Officer in charge at the Firehouse. In the absence of a Line Officer, the first Active Member arriving at the Firehouse shall take command until the arrival of a Line Officer or an ex-chief, an exofficer, a pump operator or the senior experienced active member.

3. No member will be permitted to leave the scene of a fire, emergency, drill or any authorized function at any time without the consent of an Officer at the scene.

4. Any member entering the Armed Forces of the United States shall remain a member in good standing after notification to the Company from the time they enter the Armed Services, during the period of service and NINETY (90) days after discharge. If said member fails to notify the Company of his intent after 90 days, said member's name will be dropped from the Company's rolls. If said member elects to remain in the Armed Forces for a period of FIVE (5) years or more, then the member's name will be automatically dropped from the ACTIVE rolls. (REV. 12/88)

## ARTICLE III

### OFFICERS

Section 1 - THE OFFICERS OF THE COMPANY SHALL BE DIVIDED INTO TWO (2) CLASSES - ADMINISTRATION & LINE The Administrative Officers shall consist of President, Vice

President, Treasurer, Financial Secretary, Recording Secretary and Four (4) Directors. (REV. 5/92)

The Line Officers shall consist of Chief, 1st Assistant Chief, 2nd Assistant Chief, 1st, 2nd, 3rd and 4th Lieutenant, Engineer, Assistant Engineer (Rev. 11/2015), and Safety Officer (REV. 2/93). All officers shall be elected to office at the Annual Meeting of the Company which shall be the second Tuesday in December. All officers shall serve one (1) year, except the Board of Directors whose four members shall be elected for a term of two (2) years in such a manner that the term of two (2) Directors shall expire each year. (REV. 5/92)

All Active Members must have a total of three (3) years in the firematic service in order to run for Administrative office except for the office of Director who must have completed five (5) years of active service in this Company. All Active members must have a total of three (3) years of active service in this Company or five (5) years of firematic service which shall include two (2) years of active service in this Company in order to run for Line Officer in the rank of Engineer, 1st, 2nd, 3rd or 4th lieutenants, or Safety Officer. Chief, 1st Assistant and 2nd Assistant Chiefs shall be required to serve at least two (2) years in the rank of a subordinate Line Officer in this Company in order to run for said office. Educational requirements set forth by the Board of Fire Commissioners shall be met in order to stand for election of any of the line offices. (REV. 2/93)

### Section 2 - ELECTION OF OFFICERS

The President shall appoint a nominating committee at the regular monthly meeting in October which consist of THREE (3) Active members who have completed at least THREE (3) years of active service in this Company. This committee

shall interview and perform the appropriate inquiries for qualifications of the prospective nominees for all offices and shall place in nomination ONE (1) candidate for each office at the regular monthly meeting in November.

At the regular monthly meeting in November, the President shall accept all other nominations duly made and seconded by the Company membership. Only those candidates nominated in November will be eligible to run for office. In no event shall any member be a candidate for more than one office either in the Administrative or Line classification of this Company. A listing of all candidates shall be posted by the Recording Secretary immediately following said meeting.

In the event that there is no candidate for an office, the office shall be declared vacant. The President shall appoint TWO (2) Inspectors of Election, they shall be appointed from the ranks of Probationary membership. Election of officers shall be by secret ballot and shall take place at the Annual Meeting of the Company which shall be held on the second Tuesday in December in each year at the regular appointed time. One officer shall be voted for at a time, beginning with the Administrative officers starting with the President and continuing on order for the remaining Administrative officers. After the Administrative officers have been elected, the voting shall continue with the Line Officers. The secret ballot blanks will be distributed to all eligible members present except the President. After the ballots are cast, the Election

Inspectors shall carefully count them and announce the certified results of the votes cast. The candidate receiving the largest number of votes shall be declared elected to office. In case of a tie, the President shall cast his ballot.

All officers in the administrative category declared vacant due to the lack of candidates shall be filled by the President by appointment only for a period until the next monthly meeting convenes at which time the appointed officer shall be duly voted upon. This same procedure shall prevail in the event any Administrative office becomes vacant during the officer's term due to resignation. Any line office declared vacant due to lack of candidates shall be appointed by the President with the consent of the Chief and the same voting procedure shall prevail.

## ARTICLE IV

### DUTIES OF OFFICERS

#### A. Administrative

##### Section 1 - PRESIDENT

It shall be the duty of the President to preside at all meetings of this Company, to preserve order during its deliberation and shall cast the deciding vote in case of a tie. It shall also be the duty of the President to act ex-officio on all committees of the Company whether elected or appointed. The President shall appoint all Standing Committees at the Annual Meeting and appoint all other committees not provided for in these By-Laws.

##### Section 2- VICE PRESIDENT

The Vice President shall perform the duties of the President in the absence of that officer and in case of resignation or death of the President, shall perform the duties of the President until such vacancy is filled by an election as provided by these By-Laws and shall be a member of the Benevolent Committee. The Vice President shall be Chairman of the Membership Committee. (REV. 12/03)

##### Section 3 - TREASURER

The Treasurer shall: Receive all moneys due and payable to the Company from the Financial Secretary and give a receipt thereto. Pay all bills ordered by the Company and approved by the Board of Directors. Keep an accurate account of all moneys received and disbursements made. Report to the Company membership and to the Board of Directors the financial status of the Company at each of their regular monthly meetings or upon request of the President. Be bonded by sufficient surety. Upon request submit all books and receipts to the Auditing and Budget Committees. At the end of each term of office, the treasurer shall submit to the Company membership at a regular monthly meeting a written report on the transactions of the office for the year past. In case the treasurer is unable to be present at any meeting, the books and reports must be available at the time and place of the meeting.

#### Section 4 - FINANCIAL SECRETARY

The Financial Secretary shall: Keep and maintain an accurate and up-to-date record of all members of this Company. The records shall include all dates of election to membership, all offices held and the termination of membership and the reason therefore, notify the membership in writing of all regular and special meetings. Notification of special meetings shall be at least FIVE (5) days prior to the date of said meeting and shall state the subject thereof. Call roll calls at every regular or special meeting of the Company. Collect all dues from Associate Members and keep an accurate account of **same**. Receive all moneys due and payable to the Company. Render a report of such receipts to the Company membership at each regular monthly meeting and forward all moneys to the Treasurer. Upon request, submit all books and receipts to the Auditing and Budget Committees. At the end of each term of office the Financial Secretary shall submit to the Company membership at a regular monthly meeting a written report on the transactions of the office for the past year. In case the Financial Secretary is unable to be present at any meeting, the books and reports must be available at the time and place of the meeting.

#### Section 5 - RECORDING SECRETARY

The Recording Secretary shall: Keep an accurate record of the proceedings of all meetings. At each regular monthly meeting read the minutes of the preceding regular monthly meeting and of all intervening special meetings. Keep and maintain on file all documents relating to the business of the Company. Read all incoming correspondence at each regular monthly meeting to the Company Membership. In case the Recording Secretary is unable to be present at any meeting, the books, papers, documents and correspondence shall be made available at the time and place of the meeting. The Recording Secretary shall pick up at the post office all mail pertaining to the Company. Have the Company seal.

#### Section 6 - DIRECTORS

The Directors shall: Have custody and control of all properties belonging to the Company and assure that all properties are kept in good order and repair. Take charge, record and file in the safe deposit vault all deeds, mortgages and any other documents pertaining to such



property. Review periodically insurance records to see that the Company is properly insured. Employ as the Company may direct, a custodian or custodial services to clean

and maintain in neat order the firehouse meeting rooms, rest rooms, halls, kitchen, kitchen storeroom, recreation room, Chief's office, Radio room and other storage closets off the Recreation room. To control, supervise and collect all rentals in full for meetings and other gatherings of good moral character. To make such purchases as the Company may direct. To submit to the Company for approval all proposed contractual agreements and enter into said agreements after the Company approves. To select a bank wherein the funds of the Company shall be deposited by the Treasurer. Keep and maintain an accurate record of all transactions and render a report to the Company at each regular monthly meeting. The Board of Directors shall have the right to enter into contractual agreements any emergency repairs necessary to maintain the operations of the firehouse, without prior approval of the Company, such emergency repairs shall be entered in the monthly report to the Company stating cause. They shall have the right to authorize the expenditure of moneys for regular and ordinary expenses each month deemed necessary to maintain the Company properties in good order, the expenditure shall not exceed FIVE HUNDRED DOLLARS (\$500.00) without prior approval of the Company, one (1) occurrence per month, not accumulated. They shall have the right to appoint aides from the Active Membership. They shall maintain a complete and up-to-date inventory of all properties belonging to the Company and render a complete inventory at the Annual Meeting. No member may be elected to the Board of Directors until at least FIVE (5) years of Active service in this Company has been completed.

(REVISED 1/00)

#### Section 7 - ABSENTEEISM, RESIGNATION, REMOVAL FROM OFFICE OR DEATH OF ADMINISTRATIVE OFFICERS

Should any Administrative Officer be absent from TWO (2) consecutive meetings without a reasonable and just cause or resigns, is removed from office or dies, the office shall be declared vacant and it shall be the duty of the President to fill such Administrative Office during the interim until said office is filled by election according to these By-Laws.

B. Line

#### Section 8 - CHIEF

It shall be the duty of the Chief to perform the following duties: Take charge of all firematic matters of this Company. Take command and assume full responsibility of all fires and emergencies. To certify the accuracy of fire reports. Assume full responsibility for the cleanliness of the Engine Room and associated storage rooms. Assume full responsibility for the readiness of all fire fighting equipment and apparatus. Shall take all the necessary steps to assure the complete protection of the West Nyack Fire District: Shall conduct THREE (3) fire drills per month for the purpose of instructing the members in fire fighting and in the care, maintenance and use of the fire equipment and the operations of the apparatus. Assume responsibility for the membership attendance at the mandatory training classes. Submit a written report at each regular monthly meeting of the Company. Thoroughly acquaint his Assistant Chiefs with the Chief's duties in the event the Chief is absent. Submit an annual report to the company in writing at the end of the fiscal year. (REV.12/03)

#### Section 9 - ASSISTANT CHIEF

It shall be the duty of the Assistant Chiefs to aid and assist the Chief in the discharge of his duties and in the temporary absence of the Chief shall assume the discharge of the Chief's duties. Should the Chief resign or die while in office, the First Assistant Chief shall assume the discharge of the duties of the office of the Chief. Said office and all other vacancies created shall be filled by nominations and elections, to be held at the next regular meeting following 10 days prior written notification to the membership of such nominations and elections.

#### Section 10 - LIEUTENANTS

It shall be the duty of the Lieutenants, under the direction of the Chief, to take charge of equipment and personnel at fires and drills. To account for equipment and personnel at fires and drills. To account for equipment and personnel upon returning to the firehouse from a fire or drill and be responsible for having the equipment in readiness for use within a reasonable time period.

#### Section 11 - ENGINEER

It shall be the duty of the Engineer to perform the following duties: Assume responsibility for the maintenance and service of all apparatus and assure their readiness at all times. The Engineer shall coordinate all maintenance

and service work that has to be performed on the apparatus with the Commissioner's Engineer, other than the normal Preventive Maintenance Schedule on all apparatus. Shall train and give preliminary driver's tests. Shall submit in writing to the Chief, a list of approved drivers, driver trainees and those drivers ready for the final driver's test by the Commissioner's Engineer. Shall appoint drivers for apparatus at parades. Shall maintain a log of diesel fuel and submit to the Chief requisitions for fuel when needed. The Engineer will be responsible to the Chief for all his duties. In the absence of all other Line officers, he shall assume command at all fires or emergencies.

#### Section 12 - Assistant ENGINEER

It shall be the duty of the Assistant Engineer to aid and assist the Engineer in the discharge of his/her duties. In the temporary absence of the Engineer the Assistant Engineer shall assume all duties of the Engineer. The Assistant Engineer will assist in maintenance and service of all apparatus and equipment to assure there readiness at all times. In the absence of all other Line Officers, the Assistant Engineer shall assume command at fires and/or emergencies. (Amended 11/2015)

#### Section 13 - SAFETY OFFICER

It shall be the duty of the Safety Officer to perform the following duties: To observe emergency operations and monitor overall safety. Fire scene safety infractions will be reported to the scene commander. The Safety Officer will have no other fire scene duties but to circulate at the emergency scene and monitor that proper safety procedures are being followed. In the absence of all other Line Officers, the Safety Officer will not assume command at any fire or emergency and command will be assumed by the senior member. (REV. 2/93)

#### Section 14 - FIRE POLICE SQUAD

By the authority granted by the Board of Fire Commissioners of the West Nyack Fire District, pursuant to Section 209 C of the General Municipal Law, there shall be organized as part of this Company a Fire Police Squad. The members of said squad shall be selected from those members of the Company who have served a minimum of THREE (3) years as an Active Member in good standing and received a certified certificate of completion from the Fire Police Training Course. All members and officers appointed to the Fire Police Squad shall be made by the Board of Fire Commissioners on the recommendation of the Chief. The Fire Police Squad officers shall assume full responsibility of all Fire Police Squad matters under direct supervision of the Chief. (REV. 2/93)

### ARTICLE V

## STANDING COMMITTEES

The following Standing Committees shall be appointed by the President at the annual meeting, its members shall serve as long as the President deems it necessary. FINANCIAL and BUDGET COMMITTEE, HOUSE COMMITTEE, BENEVOLENT COMMITTEE, LAW COMMITTEE & MEMBERSHIP COMMITTEE and BY-LAWS COMMITTEE. (REV. 4/94)

### Section 1 - FINANCIAL AND BUDGET COMMITTEE

Shall consist of FIVE (5) members in good standing and shall include ONE (1) member of the Board of Directors. The President shall appoint the Chairman of this committee.

This committee shall perform the following duties: Prepare and present a budget to the Company at the August monthly meeting for the fiscal year beginning January 1st and ending December 31st of the following year. Shall meet FOUR (4) times during the year and review all receipts and expenditures with a view of maintaining the limits set by the budget. Shall submit a written report to the Company after each review meeting. At the end of the fiscal year (December 31st) shall audit the books of the Treasurer, Financial Secretary, House Committee, Benevolent Committee, Board of Director's rental ledger, and all other committees which handle funds and render a written report to the Company within a reasonable time period.

### Section 2 - HOUSE COMMITTEE

Shall consist of Active Members over 18 years of age, the number of members on this committee shall be at the discretion of its chairman. The chairman shall be appointed by the President. This committee shall perform the following duties: Furnish the services from its members to serve refreshments from the bar in the Recreation Room. Shall maintain a supply of liquid refreshments, cigarettes and other sundry items deemed necessary by this committee. Shall assume responsibility for all recreation equipment, furniture and cigarette vending machine in the Recreation Room and see to it that they are kept in good order and repair. Keep and maintain an accurate record in a bound ledger of all moneys received and disbursements made. Shall submit a written report to the Company at each regular monthly meeting showing the transactions of this committee. Shall deposit funds in a bank selected by the Board of Directors. Turn over any profits to the Financial Secretary. In case the chairman of this committee is unable

to be present at any meeting, the books and reports must be made available at the time and place of the meeting.

### Section 3 - BENEVOLENT COMMITTEE

Shall consist of FIVE (5) Active Members in good standing. The Vice President and Treasurer in office must be members of this committee. Members of this committee, other than the Vice President or the Treasurer, when appointed by the President, shall serve for a THREE (3) year term. This committee shall perform the following duties: Shall maintain an accurate up-to-date benevolent insurance record for every Probationary Active, Active and Life Member of this Company who is in good standing. Pay, upon receipt of a certified death certificate, the death benefit payment to the beneficiary designated by the member on the "Benevolent Fund" form supplied by the Company, without further action by the Company. Death benefit payment shall be in the amount of FIVE THOUSAND DOLLARS (\$5,000.). The amount of the death benefit payment may be increased or decreased by a twothirds (2/3) vote of the members present at a regular or special meeting of the Company. The Benevolent Fund balance must have sufficient funds to provide for FOUR (4) death benefit payments. This Committee shall turn over to the Financial Secretary the entire proceeds of the TWO PERCENT (2%) FOREIGN INSURANCE premium checks who in turn shall record and turn over to the Treasurer for deposit into the special interest account under the name of "West Nyack Fire Engine Company No. 1, Inc., Benevolent Fund". It is the responsibility of this Committee to inform the President, Chief and President of the Ladies Auxiliary of any active company member confined to a hospital or confined at home due to any injury or sickness, and shall send appropriate card and a get-well gift. In the event of an active member's death, this committee shall be responsible for: notification to the President, Chief and President of the Ladies Auxiliary; arrange to have mourning drapes put up on the firehouse; send an appropriate card and flowers; send the death benefit check to the beneficiary; provide a floral wreath each Memorial Day which will be placed at our memorial plaque on the firehouse lawn. Any disbursements of funds other than the death benefit payments that will be used for the good and welfare of all active members must be submitted to the Benevolent Committee for recommendation and then it must be voted upon by the active membership. A majority vote carries the motion. (REV. 1/97)

### Section 4 - LAW COMMITTEE

Shall consist of THREE (3) active members in good standing, one of whom, if possible, shall be a member of the bar and shall be chairman of this committee. This committee shall act as legal advisors to the Company and shall take charge of all legal affairs. All legal matters shall be referred to this committee for their decision. It is the responsibility of this committee to prepare and record with the Rockland County Clerk's office all exempt certificates for those active members who have completed FIVE (5) years of active service.

#### Section 5 - MEMBERSHIP COMMITTEE

Shall consist of FIVE (5) members, the Vice President, who shall act as Chairman, ONE (1) line officer and Three (3) active members appointed by the President. All applications for membership in all classifications shall be referred to this committee. This committee shall review all applications and perform the necessary inquiries and report their recommendations to the Company no later than NINETY (90) days following receipt of said application. All recommendations of this committee other than extending the probationary period for Probationary Active members must be voted on by the active membership. A two-thirds (2/3) vote carries the motion. (REV. 12/03)

The MEMBERSHIP COMMITTEE shall meet to review all ACTIVE members' functions, as set forth in Article II, section 2B, at the end of June and December of each year. The membership committee shall be required to send a WARNING LETTER, certified mail, to each delinquent member by the following August or February monthly meeting, advising said member of his failure to meet necessary function percentage requirement. This warning letter is to contain the member's required percentage of functions to be made, as well as the percentage made up to the last six (6) month period, and that continual failure to meet the necessary percentage requirement at the end of the next six (6) month period could result in the EXPULSION of said member from the organization.

If any active member is found to be delinquent in his/her function requirements for a SECOND consecutive six month period, the Membership Committee shall send a certified letter to the member's last known residence requesting that

said member must meet with the Membership Committee within thirty (30) days of being notified. At said meeting any statements made by said member shall be made part of the member's file. At the following monthly meeting, the Membership Committee must report to the Company all information it has gathered regarding the meeting with the delinquent member, and a recommendation must be made by the Membership Committee as to whether to retain or expel said member. The Company shall then be required to vote individually on each delinquent member in regards to their remaining on the active roster of the fire company. The vote shall be YES to expel and NO to carry as active. If the vote by the Company fails to be 2/3 to expel said member, the member remains active but is subject to review and Company vote at every CONSECUTIVE six (6) month period that follows until his/her functions meet the percentage requirements as set forth in Art. II, Sec. 2B, at *which* time the review process would begin over again. Any member remaining delinquent in functions without good reason for four (4) consecutive six month periods, and who receives a negative recommendation from the Membership Committee, will be expelled from the company by the President without the need of a company vote. (REV. 8/97)

Failure of said member to respond to the membership committee's request to a meeting within the thirty (30) day time period will result in said member's name being brought up at the August or February meeting and a ballot will be taken requiring a 2/3 affirmative vote cast in order for said member to retain active membership status.

The membership committee may when reviewing the functions of a delinquent member, take into account whether the member is a full time student in high school or attends college out of the County. Because of the requirement to remain in school when in session, and/or restricted by the 10:00 rule, high school students may be limited to making functions during non-restricted time periods. Full time college students attending schools out of the County would also be limited to making functions only when back in the Fire District.  
(NEW 4/94)

The membership committee should not use the above as a blanket waiver of the function requirements for students. Rather an overall look at the member's participation throughout the review period should be made with emphasizes put on those periods of time when the member should have been available to make functions. (NEW 4/94)

The membership committee shall post a roster of the memberships functions each and every month. The Vice President, as chairman of the Membership Committee, shall be responsible to see that the above requirements are met. (REV. 9/89) (REV. 12/03)

Section 6 - BY-LAWS COMMITTEE (CHIEF'S COUNCIL DELETED 12/88)

Shall consist of THREE (3) active members in good standing, one who shall act as chairman. It shall be the duties of the By-Laws Committee to review all proposed amendments or alterations to the By-Laws. This review shall ensure that the proposed amendment or alteration to the By-Laws; 1) Has a sponsor 2) States a reason for the amendment or alteration

3) Is clear to its contents of the amendment or alteration 4) That all sections of the By-Laws which may be affected, are proposed to be changed 5) That the proposal is needed and/or in the best interest of the majority of the membership of the West Nyack Fire Engine Company No. 1, Inc. The By-Laws Committee may request to meet with the sponsor to discuss the amendment or alteration prior to the second reading of the proposal.

The By-Laws Committee may make a recommendation to the Company as to the actions that could be taken with the proposed amendment or alteration prior to the Company vote.  
(NEW 4/94)

Section 7 - STANDARD AWARDS

In an attempt to eliminate discrimination, bias, unfair treatment, oversight or other reasons, the following are the standard awards to be used by the awards committee for the presentation of yearly awards.

For Five	(5)	years of service:	Framed certificate of award.
For Ten	(10)	years of service:	Framed certificate of award.

For Fifteen (15) years of service: Framed certificate of award.



For Fifteen (15) years of award for a Chief serving two (2) terms: Laminated Life membership certificate and engraved life membership badge, the same as previously issued.

For twenty (20) years of service: Laminated life membership certificate and engraved life membership badge, the same as previously issued.

For Twenty (20) years of service (already a Life Member due to serving as a Chief for two terms and having fifteen years): Framed certificate of award.

For Twenty Five (25) years of service and up at increments of 5 years: Framed certificate of award.

For Fifty (50) years of service: Laminated certificate of award and gift or gift certificate equal to \$500. No cash or check is to be presented.

Outgoing Chief: Ex-Chief's ring or gift certificate, neither to exceed \$1,200. The outgoing Chief's spouse will be presented flowers and a gift with a cost not to exceed \$250.00. Should the outgoing Chief having served only one (1) term, the value of the ring or gift certificate and flowers and gift for spouse shall be one-half (1/2) of the amount shown above.

For an Ex-Chief who has returned to the line and has served as Chief again for two terms: Option of an engraved watch or an addition to previously awarded ring, or a gift certificate. No award to exceed \$1,200. For a one term Chief, the award will be half as shown.

\* Note: The Fire District will present an engraved Trumpet and Chief's helmet.

Outgoing President: An engraved watch or gift certificate, neither to exceed \$750. The outgoing Presidents' spouse will be presented flowers and a gift with a cost not to exceed \$250.

Should the out going President having served only one (1) term, the amount of the watch, gift certificate, the flowers and gift for spouse will be half as shown.

The Chairman of the following committees are to be recognized with an engraved name bar to be affixed to the wall plaques for the specified committee with the year(s) date of service as chairman: Dinner Committee Chairman

Fund Raising Chairman Picnic  
Committee Chairman

Chief's award: A gift, plaque or gift certificate not to exceed \$250.

President's award: A gift, plaque or gift certificate not to exceed \$250.

Any other special award may be made with the approval of the awards committee and approval by vote of the Fire Company at a regular monthly or special meeting.

Deceased members: Surviving spouse will receive an invitation to the Company Annual Dinner and will have an open invitation to all company social functions.

At the annual dinner, the outgoing Chief and /or outgoing President is entitled to invite up to eighteen (18) guests to attend the dinner.

Amounts of awards may be increased at any time by submission of a By-Laws amendment. Approval shall follow Article VSection 6. (NEW 2/05)

ARTICLE VI

DEATH BENEFITS - FIREMATIC SERVICES

Section 1 - ELIGIBILITY FOR DEATH BENEFIT

All Probationary Active, Active, 25-Year, and Life Members serving in the Armed Forces are not eligible to participate in the Benevolent Fund Death Benefit.

All Probationary Active members are not eligible to participate in the Benevolent Fund Death Benefit until they successfully complete their ONE (1) year probationary period and are duly voted onto the Active membership rolls. Only those Active, 25-Year, and Life members in good standing are eligible to participate in the Benevolent Fund Death Benefit.

The ONE (1) year Probationary period for non-eligibility in the fund is waived when a member is killed in the line of duty.

Section 2 - FIREMATIC SERVICES FOR ACTIVE & ACTIVE LADIES AUXILIARY  
WITHIN ROCKLAND COUNTY

FIREMATIC SERVICES consist of:

1. Pall bearers and/or Honor Guard
2. Fire District Apparatus (limited to use within the boundaries of Rockland County)
3. Company Chaplain (if available)
  
4. FULL REGULATION UNIFORM by membership which includes Ladies Auxiliary
5. Sympathy card
6. Floral piece or fruit basket to residence or funeral home not to exceed \$100.00, in lieu of requested donation
7. Limited use of Firehouse facilities which consists of: (a) MAXIMUM of three (3) hours use of Blaze Room (if available)  
(b) Food and beverage (REV. 2/97)

Section 3 - NON-FIREMATIC SERVICES

A. WITHIN ROCKLAND COUNTY

In the event of the death of an active **members'** or an active ladies auxiliary **members'** family (limited to **spouse, son/daughter, mother/father or brother/sister**), **said member** shall be entitled to:

1. Floral piece or fruit basket to residence of funeral home not to exceed \$100.00, in lieu of requested donation
2. Sympathy card
3. Representation from Fire Company, which shall consist of the President and Chief (in non-uniform) or their designate thereof (REV.2/97)

B. OUTSIDE ROCKLAND COUNTY

In the event of the death of an ACTIVE MEMBER, ACTIVE MEMBER LADIES AUXILIARY and active members' family (as noted in section 3A) who's funeral services occur outside Rockland County, shall be entitled to:

1. Floral piece or fruit basket to residence or funeral home not to exceed \$100.00, in lieu of requested donation
2. Sympathy card (REV. 2/97)

ARTICLE VII

ELIGIBILITY FOR OTHER COMPANY BENEFITS

A) USE OF THE BANQUET HALL, 2ND FLOOR REST ROOMS, KITCHEN AND ASSOCIATE FACILITIES

1) To be eligible for this benefit are, all active, 25 year and life members who are in good standing.

- 2) Members that are not eligible for this benefit are: a) Members on suspension.  
b) Members on notice for failure to maintain the required points to remain on the active rolls.  
c) Members on notice to be removed from the active rolls. d) Members still on the active probationary period.  
e) Members on the associate member rolls.

3) Members eligible to receive this benefit must be members in good standing to use the Banquet Hall and its facilities for the special benefit fee in effect at the signing of the contract. Said use of the Banquet Hall by the member shall be for the member's personal use. The member in good standing is also permitted to use the Banquet Hall for the special benefit fee for the following family members; mother, father, spouse, son, daughter, grand children, brother, sister, mother or father in-law, grand parents, step or adopted children for the purpose of celebrating the following occasions for one of the above listed relatives; birthday, christening, baptism, brisk, communion, graduation, wedding shower, bachelor or bachelorette party, wedding, anniversary, family holidays or funerals. Any use other than those occasions listed above must be clearly stated to the Upper Building Committee for their review and approval.

4) Not eligible to receive the special benefit fee are : sister-in-law, brother-in-law, nieces, nephews, aunts,

uncles, cousins, godchildren, friends or acquaintances. These people must pay the regular rental rate which is in effect.

5) All requests to use the Banquet Hall and its facilities must be made through and approved by the Upper Building Committee chairman or his designee. If a verbal request is made for a specific date and time to use the Banquet Hall and its facilities, that date and time will be held for a period of SEVEN (7) DAYS ONLY during which time a contract must be filled out, signed and the deposit must be paid.

If not that date will not be held and will be made available to others. ALL FEES ARE NON-REFUNDABLE.

6) Falsifying statements made and signed for on the contract in by the member good standing as to the use and the purpose will of the rental, result in the following disciplinary action:

a) The member will be invoiced for the full amount of the regular rental fee in effect and must be paid in full on or before a twenty (20) day period. In addition, the member falsifying statements on the contract will not be eligible to contract the use of the Banquet Hall under the special benefit fee for a period of two (2) years from the date of the falsified contract, without exception.

#### B. USE OF FIRE COMPANY EQUIPMENT

1) All requests made by members in good standing who want to borrow and remove from the firehouse Upper Building Committee for their own personal use only; chairs, tables and/or equipment; must get approval from Upper Building Committee Chairman or his designee. If approved, the active member in good standing must fill out a release memo with the items borrowed, dated and signed. On the release memo a return date will be so noted. For failure to return the items borrowed by the return date, the member will be denied borrowing any tables, chairs or equipment from the Upper Building Committee for a period of one (1) year without exception. Tables, chairs or equipment returned and found to be damaged, missing or in a dirty condition, the member will be sent an invoice to repair, replace or clean the equipment. Upon failure to make payment to repair, replace or clean on or before a twenty (20) day period, a notice will be forwarded to the president for the necessary disciplinary action, without exception.

2) Removing tables, chairs or equipment from the firehouse Upper Building area or using the Banquet Hall and its

facilities without permission will result in the following disciplinary actions:

- a) Member will be suspended by the President immediately for a period of thirty (30) days pending other disciplinary action or charges.

3) The Recreation room's facilities and equipment come under the jurisdiction of the House Committee and cannot be removed from the firehouse.

#### C) USE OF FIRE DISTRICT OWNED EQUIPMENT

1) No Fire District owned equipment may be removed from the firehouse or any of the fire apparatus without the formal approval of the Board of Fire Commissioners and the Chief, without exception. (REV. 2/97)

### ARTICLE VIII Section 1 - RESIGNATIONS

Resignations must be submitted in writing to the President and presented to the Company at a regular monthly meeting.

No resignations shall be accepted until said member is in good standing by returning to the Financial Secretary all Company owned property such as firehouse keys, membership card, recreational uniforms, or equipment, etc., and said member returns all Fire District property such as radio, badges, uniforms, hats, etc., to the Chief. Any unsatisfactory accounting for any of the aforementioned properties may result in legal action to recover said properties.

#### Section 2 - SUSPENSIONS

Suspensions may result from disobedience of orders given by the Chief during any emergency, fire, or drill or disobedience of direct orders given by the President during a meeting or function or unbecoming conduct. Duration of suspensions shall be at the discretion of the Chief or President but shall not exceed THIRTY (30) DAYS. Suspension is to include total prohibition from entering fire company premises for any purpose.

#### Section 3 - EXPULSIONS

Expulsions may result from members brought up on charges for disobedience to officers in charge of fires or emergencies or disobedience or unbecoming conduct by a member to Administrative officers at a meeting or function or charges brought up by a member for specific reasons.

NOTE: Termination of membership due to voluntary resignations, suspension, or expulsions shall constitute a release of all rights and title of interest in the property and assets of the Company. It shall also constitute termination of all insurance coverage provided by the West Nyack Fire District for said member.

Charges against any member may be made by any other member. Such charges must be presented in writing to the President who will appoint a Board of Inquiry consisting of FIVE (5) Active members in good standing, this Board must include the Chief or one officer and one (1) Director. The charges must be heard and reported on by this Board before the second following monthly meeting with a recommendation for action to the President which shall be presented to the Company at a regular monthly meeting. A two-thirds (2/3) vote by the Active membership will approve the recommendation.

## ARTICLE IX

### MEETINGS

Section 1 - The annual meeting of the Company shall be held on the second Tuesday of December of each year at eight o'clock P.M.

Section 2 - The regular monthly meeting shall be held on the first Tuesday of every month at eight o'clock P.M., and if the said Tuesday falls on a holiday, then on the following Tuesday.

Section 3 - Special meetings may be called by the President or upon written request of ten members in good standing presented to the President or in his absence to the next ranking Executive Officer. Upon the refusal of the President or the next ranking Executive Officer, failing or refusing to call a special meeting pursuant to such a request, the members signing and presenting such request may issue the call themselves. Notice of a special meeting must be in writing THREE (3) Days before such meeting.

Section 4 - Twenty (20) members shall constitute a quorum for the transaction of business.

Section 5 - At all meetings, the roll shall be called twice precisely upon the hour appointed for the meeting to convene, and the meeting to adjourn.

Section 6 - In the absence of the President and the Vice President, and a quorum of members be present, they shall appoint a Chairperson pro tempore and proceed with the transaction of the business of the regular meeting in the following order at annual and regular meetings.

- 1) Roll Call
- 2) Reading of minutes
- 3) Collection of assessments
- 4) Financial Secretary's report
- 5) Treasurer's report
- 6) Board of Director's report
- 7) Chief's report
- 8) Reports of standing and appointed committees 9)
- Applications and balloting for membership 10)
- Communications and bills
- 11) Unfinished business 12)
- Election of Officers 13) New
- business
- 14) Good and welfare of the Company 15)
- Second roll call and adjournment

At special meetings:

- 1) Roll call
- 2) Transaction of business for which the meeting was called 3) Roll call and adjournment

## ARTICLE X

### SPECIAL COMMITTEES

Section 1 - Special Committees shall be appointed by the President whenever deemed necessary and when so appointed, they shall serve until the duties devolving upon them shall have been performed and their report thereon duly accepted.



Section 2 - It shall be the duty of all Committees to attend strictly to the business for which they are appointed and present a report at the regular meeting next following their appointment.

Section 3 - Whenever a Special Committee shall have made its final report and been dissolved, it shall be unable to act further without having new powers granted to it.

#### ARTICLE XI

Section 1 - No contract or agreement binding upon the Company shall be paid, nor any unusual or extraordinary expenditure of money shall be authorized except upon a majority vote of the members present at a regular monthly meeting.

Section 2 - It shall be the duty of every member of this Company to see that these By-Laws are faithfully kept and rigidly enforced in order to insure a good and efficient Company and to secure to each member an equal share of the duties and privileges devolving upon them as members.

#### ARTICLE XII

##### AMENDMENTS OR ALTERATIONS TO THE BY-LAWS

Section 1 - These By-Laws shall not be altered or amended except upon a proposition in writing presented to the ByLaws Committee for review, approved by the Law Committee, and submitted to the President, who will have the proposed change or changes read at the next two meetings with a vote to be taken following the second reading. An affirmative vote of TWO-THIRDS (2/3) of all ballots cast shall deem the change to be accepted. By-Law changes will be accepted by the By-Law Committee any time for review.

#### ARTICLE XIII RULES OR PROCEDURE

Meetings shall be conducted in accordance with recognized rules of parliamentary procedure. Any question of

procedures not covered in this Constitution and By-Laws shall be governed by "Roberts Rules of Order".

ARTICLE	II - Section A -	(4/10
ARTICLE	III - Section 1	(5/92)
ARTICLE	III -	(2/93)
ARTICLE	IVA - Section 2	(12/03)
ARTICLE	IVB - Section 8	(12/03)
ARTICLE	IV - Section 6	(1/00)
ARTICLE	IV - Section 12,13	(2/93)
ARTICLE	V - Section 3	(1/97)
ARTICLE	V - Section 5	(2/88
	)	
ARTICLE	V - Section 5	(9/89)
ARTICLE	V - Section 5 - Par. 1	(12/03)
	Par.7	(12/03)
ARTICLE	V - P	
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	ar.	(4/94)
ARTICLE	V - Section 5 - Par.3	(8/97)
ARTICLE	V - Section 5 - Par.5,6	(4/94)
ARTICLE	V - Section 6	(12/88)
ARTICLE	V - Section 6 - NEW	(4/94)
ARTICLE	V - SECTION 7 - NEW	(2/05)
ARTICLE	VI- Section 2(6)	(2/97)
ARTICLE	VI- Section 3(A1)	(2/97)
ARTICLE	VI- Section 3(B1)	(2/97)
ARTICLE	VII - ALL	(2/97)
ARTICLE	VIII - ALL SECTIONS	(3/91)