

“Proud To Serve”

**Croghan Volunteer Fire Department**

**p.o. box 405**

**Fire Hall Street**

**Croghan, N.Y. 13327**

### CONSTITUTION AND BY-LAWS

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ARTICLE 1

NAME, PURPOSE, TERRITORY

Section 1 The name of this organization shall be the Croghan Volunteer Fire Department, Inc. The Village of Croghan Board is the governing body of the Croghan Fire Department, Inc.

Section 2 The purpose of this organization shall be:

1. to acquire and own fire and emergency apparatus for use by the Corporation in the protections of persons and property from injury, loss, damage, or destruction;
2. to construct, erect, and maintain buildings for Corporate purposes, and for the use and efforts of the members of the Corporation in connections with the housing of and headquarters for fire and emergency apparatus and for the providing of a place of meeting for the members of the Corporation; and
3. to do all things deemed necessary, advisable, and proper by its members for the protection of person and property from fire, injury, and damage and in the matter of fighting fires, and to provide for the mutual enjoyment, entertainment, and improvement of its members.

Section 3 The territory in which its operations are to be conducted is all designated by contract territory of the Town of Croghan, Lewis County; the Town of New Bremen, Lewis County; the Town of Watson, Lewis County; and the Village of Croghan, NY.

ARTICLE 2

MEMBERSHIP

Section 1 Membership in the organization shall be divided into two classes, Active and Honorary.

Section 2 Active membership shall be limited to a maximum number of 70. Members shall be at least 16 years of age, a citizen of the United States, of good moral character, of sound body and who shall meet such additional requirements as may be contained in any law or regulation applicable to the organization. Priority for membership will be given to 55 members residing within 2 miles of the boundary limits of the Village of Croghan and 15 members residing outside those limits. If a total of 55 members is not maintained from within the 2 miles, additional members may be added from outside the 2 mile limit.

Section 3 Active members shall be required to perform the duties of a volunteer fireman, including making a minimum of 10% of fires and emergencies, attend at least 5 meetings, serve on one committee or hold an office, and make a minimum amount of training as stated in the department's training SOP. If these requirements are not met, then the member may be sent a written notice requesting them to come before the Executive Board. Each active member will have 1 year from the time they are placed on the rolls to complete the minimum OSHA required training as set forth in department training SOP.

 All members must obey orders of the officers and comply with all duly adopted SOP’s, rules, and regulations. Active members entering the armed services of the United States shall be retained on the active list during such service, exempt from the foregoing duties unless they request otherwise. All active members must meet the active requirements of the Croghan Volunteer Fire Dept. by the date of filing the Certificate of Incorporation of this organization.

Section 4 Any active member who shall have served as such for an accumulated period of at least 15 years with the Croghan Volunteer Fire Department and shall desire to become an Honorary member, may request in writing at the time of resignation.

Section 5 Honorary members shall have no rights to vote unless holding an office and cannot participate in drills. They may have the right to hold an executive office, serve on committees and to attend social functions.

ARTICLE 3

ATTAINMENT OF MEMBERSHIP

Section 1 Proposal for active membership must be in writing on a form approved by the organization, and the applicant must be present at the regular meeting one month prior to being voted on. Prior to the election, the applicant shall be given an orientation of the Croghan Fire Department, including the duties and responsibilities of each member. In addition, the department will perform a criminal background check on the applicant prior to be voted upon.

Section 2 Election of each applicant shall take place at the first regular meeting following their being proposed for membership. A secret ballot shall be taken. If the majority of the members present vote in the negative, the applicant may not again apply for membership until at least six months have elapsed from the time of his/her rejection. If the secret ballot indicates the prospective member’s acceptance into the Fire Department, the applicant is then given a physical exam form to be completed by a medical doctor. Applicant will be notified by the secretary of his/her being placed on the rolls, pending his/her passing the physical exam, approval by the Board of the Village of Croghan and Lewis County Clerk before being allowed to participate in any firefighting activities.

 All new applicants will be directed to a copy of the by-laws and SOP/SOG’s prior to attendance at their first regular meeting.

Section 3 New members in the organization will be on probation for a period of one year and will be accountable to the officers and executive board. Each will be reviewed. The probation period may be extended if deemed necessary by the officers and executive board. The period of extension will be at the discretion of the Executive Board.

Section 4 Honorary membership may be conferred at any regular, special, or annual meeting by a majority of the members present.

ARTICLE 4

OFFICERS AND THEIR SELECTION

Section 1 The elected officers of this organization shall consist of (9) Executive Board Officers, President, Vice-President, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, (2) Custodians, Chaplin. The line officers shall consist of the Chief, 1st, 2nd, and 3rd assistant chiefs, and fire police captain.

Section 2 The term of office of each officer shall be one year from the date of annual meeting, but in the event of failure to fill an office at the annual meeting, the incumbent shall hold over until his/her successor is chosen. A vacancy in any office may be filled by election at any regular meeting. The term of any officer not elected at the annual meeting shall expire at the annual meeting succeeding his/her election.

 Executive Board Members will serve for a three-year period, however, are eligible to run for another term with no break in service.

Section 3

1. All officers shall be elected by ballot at the annual meeting by a majority vote. Any ballots returned after polls are closed will not be accepted. If an officer is not elected at the annual meeting, a special election may be held at a regular meeting, or at a special meeting called for that purpose.
2. A nominating committee of five members shall be selected three (Jan) months prior to the annual meeting. This committee shall solicit each active member and accept requests for nominations, and report a slate of officers one-month prior (March) to the annual meeting. Any nomination from the floor must be made at this meeting, one month prior to the annual meeting.

Section 4 The President shall appoint two tellers at the time of each election, which shall receive the ballots and canvas the votes. The President shall open and close the polls and announce the results.

Section 5 Only members currently on the rolls shall be eligible to vote.

Section 6 Typically, any nonprobationary member fulfilling the Active Member SOP for previous year is eligible to run for office. The Executive Board reserves the right to make exceptions to this as deemed necessary.

ARTICLE 5

DUTIES OF OFFICERS

Section 1 President, It shall be the duty of the president to: preside at all meetings of the organization and of the Executive Board in accordance with recognized parliamentary procedure; call special meetings when, in his/her judgment, they are necessary or upon the request of five members unless otherwise provided; appoint all committees; enforce the observation of the constitution and by-laws; sign all orders on the treasurer and all vouchers for bank withdrawals; and install newly elected officers and members. The president shall not vote on any question other than the election of officers and members, except in case of an equal division of members, when his/her vote shall decide. The president shall submit a report at the annual meeting and shall include therein such recommendations, as he/she deems expedient for the welfare of the organization. The president shall see to it that a duly qualified person shall audit the treasurer’s account book prior to the annual meeting. It shall be the duty of the president to update all fire department contracts. The president shall assign an officer, typically the treasurer, to receive and open all department mail with the exception of mail addressed directly to the President or Chief. The president shall forward to the addressee, unopened personal mail received in care of Croghan Volunteer Fire Dept.

Section 2 Vice President, The Vice President shall assist the president in the discharge of his/her duties and, in the case of the president’s absence or disability, or should the office of president become vacant, shall assume the duties of the president. It will be the vice-President’s responsibility to see that each new member is shown how to access a copy of the by-laws and start a member personnel/medical file. New members also need to be properly oriented to the duties and responsibilities of a fireman as set forth by the department prior to his/her being voted on.

Section 3 Secretary, It shall be the duty of the secretary to call the roll of active members at every meeting and record the proceedings of the meeting. He/she shall also act as secretary of the executive board and report on all topics covered by the executive board at the regular meeting. He/she shall record the proceedings of all meetings of the organization and keep the books and file the papers pertaining to his/her office. He/she shall notify all newly elected members once they have officially been added to the rolls. He/she shall also notify the county of any changes made in the active membership roster. He/she shall give notice of each special meeting to each member at least twenty four hours before the same are held, attend to all correspondence, and perform such other duties as are incidental to his/her office or as may be imposed upon him/her by the organization or the executive board.

Section 4 Assistant Secretary, The assistant secretary shall assist the secretary in the discharge of his/her duties and, in case of the secretary’s absence or disability, or should the office of secretary become vacant, shall assume the duties of the secretary.

Section 5 Treasurer, It shall be the duty of the treasurer to: receive all monies due the organization giving his/her receipt for the same (the only exception shall be direct deposit of donations during the annual fund drive); pay all bills against the organization when authorized all bills against the organization when authorized by the general membership or the executive board at a regular, annual, or special meeting; keep a correct account of all receipts, and disbursements; and submit his/her accounts of the organization to the executive board when called for. He/she shall deposit all monies received by him/her belonging to the organization in the name of the organization in a bank or banks designated by the executive board. The bank accounts shall be established in such a manner that withdrawals can only be made upon the signatures of the president and treasurer. No money shall be withdrawn from any bank unless authorized at a regular, annual, or special meeting. The treasurer shall make a report at each regular meeting, reading in all amounts received, expended, the date, purpose, and payee with respect to each expenditure. He/she shall also make a report at the annual meeting covering the entire year.

Section 6 Assistant Treasurer, The assistant treasurer shall assist the treasurer in the discharge of his/her duties and, in the case of the treasurer’s absence or disability, or should the office of treasurer become vacant, shall assume the duties of the treasurer.

Section 7a Vehicle Custodian, It shall be the duty of this person to take charge of cleaning the vehicles of the department and the cleaning of the equipment side of the building. He/she shall see to it that all department vehicles are washed at all times. Moreover, vehicles that shall be used in parades shall be given special attention prior to the parade. This person is not responsible for vehicle maintenance, however shall report any observed problems to the vehicle maintenance committee.

Section 7b Building Custodian, It shall be the duty of this person to clean the meeting room half of the building, take charge of the organizations property, with the exception of department vehicles. He/she shall have general charge of the rooms in which meetings are held and see that they are at all times kept in an orderly and proper manner, ready for use and properly aired and heated.

Section 8 Chief, The Chief shall have command of the organization at fires, drills, and schools of instruction, and shall see that members perform their duties there at. It shall be his/her duty to arrange for schools of instruction, at such time and he/she deems the same desirable. He/she shall be responsible for the proper maintenance of the fire apparatus and appliances of the organization and see that they are in good condition and ready for service at all times. He/she shall have the power to suspend any member violating the rules of conduct while in the line of duty, subject to the action of the organization at its next executive board meeting. He/she shall be responsible for establishing and maintaining current standard operating procedures which shall dictate department protocol at all emergency situations. He/she shall explain each SOP to the general membership at any regular meeting and shall post a written copy in the fire hall for a minimum of 3 months.

Section 9 Assistants Chiefs, The assistant chiefs shall assist the chief in the performance of his/her duties. The first, second, and third assistant chiefs shall take over and perform the duties of the chief in his/her absence in that order. Each of the assistant chief’s automatically become chairperson of one of three committees. These committees are Safety, Training, and Vehicle and Equipment Repair.

Section 10 Fire Police Captain, The fire police captain is an elected position that reports directly to the Fire Chief. The captain shall take responsibility for all fire police action pertaining to the fire department. He/she shall take charge of other fire police personnel(including mutual aid to our department) at any emergency or training scene. The Captain will report to and take direction from the Incident Commander. Specific duties of the Fire Police Captain will be listed in the Croghan Fire Department's Fire Police and Fire Police Captain Best Practice document.

Section 11 Executive Board Members, The nine elected executive board members with the president shall act as an executive board having the powers and duties herein prescribed for such. The executive board shall consist of the president and nine directors. The executive board shall have charge of the affairs of the organization and will include the purchase of necessary equipment and repairs between meetings. This board shall review the bills prior to the monthly meetings. It shall recommend to the general membership the bank or banks in which the funds of the organization shall be deposited. The board shall have the power to hear and act upon excuses for any member in the department. The executive board shall meet as the president may designate. The president shall call a meeting upon the request of any two active members. The executive board shall have power at its discretion to examine the books and accounts of the department. The executive board is ultimately responsible that the organization is in compliance with federal, state, and local regulations, specifically those set forth by OSHA. The executive board shall be responsible for establishing and maintaining standard operating procedures which shall dictate department protocol for all matters other than those assigned to the chief. The president shall explain each SOP to the general membership at any regular meeting and shall post a written copy in the fire hall for a minimum of three months. The executive board shall have the responsibility and authority to review all members that are charged for violation of by-laws and SOP’s. It shall make a report at the annual meeting and shall exercise such further powers and perform such other duties as may be delegated to it by the organization. Any executive board member that misses more then three meetings in a row may be removed from the board.

Section 12 The chief in charge will be responsible for all news releases related to his/her area of operations. This does not pertain to scene investigation.

ARTICLE 6

COMMITTEES

Section 1 Special committees may be appointed pursuant to resolution adopted at any meeting of the organization.

Section 2 Volunteers will be taken first followed by names drawn from the active membership rolls. An absent member may volunteer to be placed on a committee by having someone speak for him/her at the meeting. If a fireman has been on a committee within the past year, he/she is exempt from serving on another committee if he/she so chooses. The following committees will be approved by the chief: Health Committee, Safety Committee, Training Committee, and Vehicle and Equipment Maintenance Committee.

Section 3 Health Committee, The Health Committee shall consist of three members who will see to it that all new members obtain physicals and all members who are involved with firefighting are current with annual physical examinations. They shall also be responsible for maintaining and training all members in written hazard communication and exposure control. If they determine that minimal requirements are not being met by a member, they shall report to the chief and/or executive committee who will in turn be responsible for any action taken.

Section 4 Safety Officer, The Safety Officers shall be responsible for ensuring safety at any emergency scene or drill as set forth in SOP’s approved by the chief. If they determine that minimal requirements are not being met, they shall report to the chief and/or executive board that will in turn be responsible for any action being taken.

Section 5 Training Committee, The Training Committee shall assist the chief in setting up appropriate drills and schools for the members of the department and ensure that proper records are maintained. This committee will review the training records of all members every six months for necessary updates. If they determine that minimal requirements are not being met by a member, they shall report to the chief and/or executive board that will in turn be responsible for any action being taken.

Section 6 Vehicle and Equipment Maintenance Committees: Committees will be established for Vehicle and Equipment, Air Pack, and Small Engine Maintenance. They will be responsible for establishing and maintaining a maintenance program as forth in Department SOG's to include periodic inspection of all equipment that they are responsible for. It shall also be the responsibility of this committee to schedule needed repairs only after communication with the chief.

ARTICLE 7

MEETINGS

Section 1 Regular meetings shall be held on the first Thursday of each month with the exception that there will be no regular meeting scheduled in July.

Section 2 The annual meeting shall be held on the first Thursday in April.

Section 3 When a regular or annual meeting shall fall on a national or religious holiday, said meeting shall be held on the same day of following week.

Section 4 All general membership meetings shall be held at the fire house at 7:30 p.m.

Section 5 The executive committee shall meet one hour prior to the general membership’s regular and annual meetings unless requested to meet earlier by President.

Section 6 All department meetings shall be conducted in accordance with New York State Open Meetings Law.

Section 7 Ten members shall constitute a quorum for all regular and special meetings. Fifteen members shall constitute a quorum for the annual meeting. A quorum must exist at any general membership meeting at which decisions pertaining to the department and its membership are to be made.

Section 8 It shall be the obligation of active members to attend meetings.

ARTICLE 8

RULES OF CONDUCT

Section 1 Alcohol/Illegal Drugs

1. No member shall use or be under the influence of drugs or alcohol at any emergency situations, drills, schools, or meetings.

Section 2 No member shall show insubordination to the officer(s) in charge at any department function.

Section 3 No member shall misuse any equipment belonging to the department which includes reckless driving of any vehicles or improper use of property or contents belonging to the department.

Section 4 All members shall abide by all vehicle and traffic laws while traveling to and from an emergency scene. This includes private vehicles.

Section 5 All members shall adhere to the Standard Operating Procedures and Guidelines of the Department.

Section 6 Any member in violation of any of the rules of conduct shall be requested in writing, with violations specified by article and section with at least 7 days notice, to attend the next Executive Board meeting at which time appropriate disciplinary measures will be decided. If the member cannot attend, he/she must submit a written and valid excuse or he/she waives his/her right of appeal.

ARTICLE 9

TERMINATION OF MEMBERSHIP

Section 1 Resignation, Resignations shall be presented in writing or in person but shall not be accepted if the member is under charges, in indebted to the organization, or has not turned over to the organization all property belonging to it in his/her possession

Section Expulsion/Corrective Discipline, Written charges setting forth grounds for expulsion may be presented to the executive board by any member. If the executive board determines that the charges, if true, would be grounds for expulsion, the member charged may be expelled for cause by 2/3 vote of the members present at a meeting. If found that corrective discipline is needed then executive board shall follow SOP regarding corrective discipline, provided that the accused shall have been served with written charges at least seven days prior to the meeting, together with a notice that the charges will be considered at the meeting, and the member will have the right to be heard at all time. The organization shall have the power to determine what shall constitute sufficient cause for expulsion.

Section 3 Upon the second occurrence of any violation of rules and regulations, the executive board will have the authority to expel a member if the member has formerly been suspended for any violation of rules/regulation. The executive board will also have the authority to expel any member the first time he/she if convicted of a felony or arson. Both these actions require approval of two thirds vote of executive board members.

ARTICLE 10

REINSTATEMENT

Section 1 A member expelled from the organization for cause shall not be eligible for reinstatement for 5 years. At that time the member must reapply for membership in the department.

ARTICLE 11

DELEGATES

Section 1 The president may appoint any two members who so choose to attend the Northern New York Volunteer Fireman’s Convention. They shall be entitled to receive necessary traveling expenses as deemed necessary by the general membership. The delegates shall make a report of the convention at the following regular meeting.

ARTICLE 12

AMENDMENTS

Section 1 This constitution and bylaws may be amended at any regular meeting or at the annual meeting by a 2/3 vote of the members present, provided the proposed amendment shall have been submitted in writing at least one month prior to that time.

ARTICLE 13

ORDER OF BUSINESS AT MEETINGS

1. Salute Flag
2. Prayer
3. Roll Call
4. Reading of minutes of last regular or annual meeting or any intervening meeting including those of the executive committee.
5. Report of Officers
6. Report of Committees
7. Communications
8. Bills/Income
9. Proposals for membership
10. Election of members
11. Instruction and Training
12. Unfinished Business
13. New Business
14. Election of Officers
15. Treasurer’s Report
16. Good of Organization
17. Prayer
18. Adjournment

ARTICLE 14

ACCOUNTING

Section 1 A separate department SOP will be established for handling department finances. In general, a system of accountability will be established to prevent theft.

Section 2 All expenses, except those spelled out in an SOP, shall require approval of the membership and/or executive committee before being incurred and/or paid.

ARTICLE 15

ATTENDANCE AT SCHOOLS AND CONFERENCES

Section 1 Members in good standing desiring to attend schools or conferences must request approval of the membership. If the membership denies the request, the member shall have the right of appeal at the meeting immediately following. For insurance reasons, approval to attend schools and conferences shall be recorded in the secretary’s minutes. If school/conference is prior to the meeting and approval from membership cannot be given before the start of school/conference, permission can be given from the chief or president.