

**CONSTITUTION and BY-LAWS**

**Of the**

**WALLKILL ENGINE and HOSE COMPANY**

**Of the MONTGOMERY, NEW YORK FIRE DEPARTMENT**

**ADOPTED**  
**April 02, 2014**

**COMMITTEE**  
**Charles Wallace**  
**Tom Ewell**  
**Mike Crana**

# **CONSTITUTION**

## **Article I**

We, the undersigned, being desirous of forming ourselves into a Company whose object it shall be to aid in the extinguishment of fires or to answer any other emergency in which firemen are needed, do ordain the following as our Constitution.

**Section 1.** To inculcate love of country, good citizenship, civic virtue and self-sacrifice and to perpetuate the spirit which from the earliest days has actuated volunteer firemen in the rendition of service of the highest type in the protection of life and property from fire or other threats.

**Section 2.** This Company shall be known and designated as The Wallkill Engine and Hose Company, Inc. of the Village of Montgomery, N.Y. and the Montgomery N.Y. Fire District and the Montgomery N.Y. Fire Department.

**Section 3.** The territory in which the operations of this organization shall be principally conducted is the area comprising The Montgomery N.Y. Joint Fire District.

## **Article II**

### **Officers and Their Election**

**Section 1.** The election for the company officers (civil and line) shall be held on the first Thursday after the second Tuesday in the month of December.

The officers to be elected are as follows: Captain; 1<sup>st</sup> Lieutenant; 2<sup>nd</sup> Lieutenant; President; Vice President; Recording Secretary; Financial Secretary; Treasurer; Two Wardens – one to be elected each year for a term of two years; and Chaplain with all officers to hold over until their successors are elected. Any member seeking office or those desiring to vote must be in good standing – dues paid up etc.

**Section 2.** At the October meeting, a Company Nominating and Election Committee shall be formed to solicit candidates and verify their qualifications. The nomination of officers shall be held on the regular (monthly) meeting night in November of each year; at the November meeting, the Nominating and Election Committee shall report to the membership whether or not all candidates meet the qualifications for the position they are seeking. No member may serve on the Nominating and Election Committee if they have a relative seeking any position within the Company.

**Section 3.** No candidate shall be considered elected unless they have received a two-thirds (2/3) majority of all the votes cast, and no member shall be eligible to seek office or be entitled to vote at any election of officers of this Company if they are in arrears of dues. Any member seeking office that cannot be present at the November meeting to be nominated may submit a letter to the Nominating and Election Committee and the Company to have their name placed on the ballot providing they meet the qualifications for the position and are not in arrears of dues.

## **Article II – Officers and Their Election, Continued**

**Section 4.** Any candidate nominated for Captain, 1<sup>st</sup> Lieutenant, or 2<sup>nd</sup> Lieutenant must be an active member of this Company for three years and must be a qualified driver on Engine 219 for one year. The candidate must have successfully completed the New York State Firefighter I course or equivalents as listed by the New York State Office of Fire Prevention and Control (NYS OFPC) as well as Preparing for Command, or its replacement course - Introduction to Fire Officer and NIMS 100 and 700. Candidates must also have EVOC and Pump Operator Training from NYS OFPC or equivalent. Should there be no qualified candidate(s) for any of the line officer positions, the Company Executive Board and the Nominating and Election Committee may consider other members who have extensive firematic experience or past line officers and report to the Company their findings and selection.

**Section 5.** No member of this Company shall be allowed to hold more than one Company office at the same time,

**Section 6.** Should any office become vacant after the annual election of officers, the vacancy shall be filled by a two thirds (2/3) majority vote of the Executive Committee.

**Section 7.** Any candidate running for the office of Assistant Chief must have at least one (1) year's experience as Captain of the Wallkill Engine and Hose Company within the preceding five (5) years as well as meeting any other qualifications set forth by the Montgomery Fire Department and the Montgomery Fire District. Any candidate running for the office of Captain must have at least one (1) year's experience as 1<sup>st</sup> Lieutenant of the Wallkill Engine and Hose Company within the past five (5) years. Any candidate seeking the office of 1<sup>st</sup> Lieutenant must have at least one (1) year's experience as 2<sup>nd</sup> Lieutenant of the Wallkill Engine and Hose Company within the past five (5) years.

## **Article II – Officers and Their Election, Continued**

### **Section 7, Continued**

If no qualified candidates are seeking any of the line officer positions, the Executive Committee and/or the Nominating and Election Committee may select past Company line officers if they are interested for the position(s) even if these members have been out of the line for more than five (5) years.

**Section 8.** Officers will take office on January 1<sup>st</sup> following their election.

## **Article III**

### **Election of Members**

**Section 1.** Any person, sixteen (16) years of age or older of good moral character residing within the Montgomery Joint Fire District, that works within the Montgomery Joint Fire District, or resides outside of the Montgomery Joint Fire District but being able to render service shall be eligible to join the Wallkill Engine and Hose Company as an Active Member. By New York State Law, no more than 10 percent of the membership of the Department may reside outside of the Fire District.

**Section 2.** Any member having a person to propose for membership may do so at any regular (monthly) or special meeting of this Company. The application for membership must be accompanied by an application fee of \$5.00 plus one year's dues. The \$5.00 application fee shall become a part of the Company funds regardless if the applicant is accepted or rejected. If the applicant is rejected the one year's dues will be returned.  
(approved 2/12/14)

**Section 3.** It shall be the duty of every member who may have any objections to a person proposed for membership touching their moral character or his or her inability to perform the duty/duties of the category of membership the person is applying for to communicate them to the Company previous to the proposed applicant being voted on, and should any objection be made, they shall be considered and kept a secret within the Company.

**Section 4.** Each candidate for membership shall be voted upon separately. A majority vote of two-thirds (2/3) of the membership present shall be required for acceptance. Should a meeting not be held in any given month due to a lack of a quorum – eight (8) members, or for other reasons – and there are applications for membership for that meeting, the Executive Committee may accept a candidate for membership if the results of the Applicant Investigating Committee are present and favorable for the proposed applicant(s) and report the results to the membership at the next Company meeting.

**Section 5.** No person shall be considered a member of this Company until they have passed a Fire District physical and have been accepted by the Board of Fire Commissioners.

**Section 6.** All persons having been proposed and elected who fail to report themselves to the Company and sign the Constitution within one month of their election and secure a Company badge and combination to the firehouse shall be deemed to have forfeited the privilege of their election, and in order to become members of this Company must again be proposed for membership and elected.

**Section 7.** There shall be appointed an Applicant Investigating Committee which will consist of two (2) members to investigate persons applying for membership. This committee will be appointed every year by the Company President and will consist of past or present Company line officers or a combination of both.

**Section 8.** The Wallkill Engine and Hose Company will not accept transfers or applications for membership from any other company of the Montgomery Fire Department.

**Section 9.** Any person that is applying for membership in the Wallkill Engine and Hose Company having been a member of another fire department and left that department in good standing may have their length of service time transferred to the Company provided a letter is received signed by the president and chief of their previous department with their application verifying the prospective member's time of service and that the applicant left their prior department in good standing.

#### **Article IV Meetings**

**Section 1.** There shall be a regular (monthly) meeting of this Company on the first Wednesday of each month commencing at 7:30 p.m. The March, June, and September meetings shall be known as the quarterly meetings of this Company. The December meeting shall be known as the annual meeting.

**Section 2.** When a regular (monthly) or annual meeting shall fall on a holiday, said meeting shall be held on the Wednesday of the next week.

**Section 3.** At each meeting the roll shall be called and/or taken by the Financial Secretary at the specified time and if a quorum of eight (8) members is present, they shall proceed to business in the following order:

Order of Business at Company Meetings

- a). Opening of Meeting.
- b). Roll call of Officers and Members by Financial Secretary.
- c). Reading of minutes of last regular (monthly) meeting.
  - 1). Minutes of Executive Committee.
- d.) Communications and bills.
  - 1). Disposal.
- e). Application(s) for membership.
- f). Report of Applicant Investigating Committee.
  - 1) Action(s) on application(s).
- g). Balloting on Candidates.
  - 1) Appointment of tellers.
- h). Report of Officers.
- i). Collection of Dues.
- j). Nomination of Officers.
- k). Election of Officers.
- l). Reports of Special Committees.
- m). Reports of Standing Committees.
- n). Unfinished Business.
- o). New Business.
- p). Good and Welfare.
- q). Reports of Secretary and Treasurer.
- r). Program Committee.
- s). Stand for Moment of Silence.
- t). Closing of Meeting/Adjournment.

**Section 4.** The Company shall keep on file a list of all current committees and it shall be read at every meeting.

**Section 5.** Special meetings may be called at any time necessary by either the Company President, the Executive Committee, or the Captain. The President shall also call a special meeting if requested in writing to do so by three (3) members of the Company in good standing, but this request must state the reason for calling the special meeting.

**Article V**  
**Power of Expulsion**

Section 1. This Company shall have the power to expel any member in such manner and for such causes as stated in the Company Constitution and By-Laws as they may adopt.

**Article VI**  
**Amendments to Constitution**

**Section 1.** No alteration(s) or amendment(s) shall be made to this Constitution except by a two-thirds (2/3) majority vote of the members present at a regular (monthly) meeting of this Company and all proposed alterations or amendments must be made in writing.

**Section 2.** All proposed alterations or amendments to the Constitution must be submitted in duplicate with one copy given to the secretary for placement in the minutes and the second copy to be posted on the Company bulletin board until the next regular (monthly) Company meeting.

**Section 3.** This Constitution of the Wallkill Engine and Hose Company shall go into effect on April 2, 2014 and shall supersede all former Constitutions of this Company.

**BY – LAWS of the WALLKILL ENGINE and HOSE COMPANY**

**Preamble**

Whereas in all regulated societies certain laws and rules of order and procedure are adopted as necessary for the maintenance of order therein, We, the Members of the Wallkill Engine and Hose Company Incorporated do adopt and agree to the following as our By-Laws:



## **Article I Duties of Officers**

**Section 1 – PRESIDENT:** It shall be the duty of the President to preside at all meetings of the Company and of the Executive Committee in accordance with recognized parliamentary procedure; to call special meetings when in his or her judgment they are necessary; or upon the written request of three (3) members of the Company that are in good standing; unless otherwise provided to appoint all committees; to enforce the observance of the Constitution and By-Laws; to sign all orders on the Treasurer and all vouchers for bank withdrawals and to install newly elected officers and members. The President shall not vote on any question or the election of officers, except in case of an equal division (tie) when his or her vote shall decide. The President shall submit a report at the annual meeting and shall include therein such recommendations as he or she deems expedient for the welfare of the Company.

**Section 2 – VICE PRESIDENT:** The Vice President shall assist the President in the discharge of his or her duties and in the case of the President's absence or disability or should the office of President become vacant, the Vice President shall assume the duties of the President.

### **Article I – Duties of Officers, Continued Section 3 –**

**TREASURER:** It shall be the duty of the Treasurer to receive all moneys collected by the Financial Secretary or otherwise due to the Company giving his or her receipt for the same; to pay all bills against the Company upon vouchers signed by the President and Recording Secretary when authorized at a regular (monthly), special, quarterly, annual, or Executive Committee meeting; to keep a correct amount of all receipts and disbursements and submit his or her accounts to the Company or the Executive or Auditing Committee when called for. He or she shall deposit all moneys received by him or her belonging to the Company in the name of the Company in a bank

or banks designated by the Executive Committee, with deposits to be made within five (5) days of receipt. Bank accounts shall be established in such a manner that withdrawals can only be made with two signatures on the withdrawal slip. Checking accounts will be set up so as to require two signatures on each check before it is considered a valid instrument for payment. No money shall be withdrawn from any bank unless authorized at a regular (monthly), special, quarterly, or annual meeting; However, in cases of emergency as determined by the Executive Committee, funds may be withdrawn to satisfy the debt without any meeting being held and a report must be given at the next meeting of the Company. The Treasurer shall make a report at each regular (monthly) meeting showing all amounts received and expended and the date, purpose, and payee with respect to each expenditure. He or she shall make a report at the annual meeting covering the entire year. The Treasurer shall give a bond to the Company of \$30,000.00 at the annual meeting, the cost of the premium for the bond to be borne by the Company. Within five (5) business days of taking office each year, the Treasurer will verify and validate signature cards at all financial institutions that this Company has deposits in or conducts business with and add or delete any new authorized personnel as necessary. Even if Civil Officers do not change, financial institution signature cards shall still be examined within the first five (5) business days of the new year to verify the validity and ensure old cards are not on file. During the course of the year, if Civil Officers change, the Treasurer will, within five (5) business days of the change, make the necessary changes on financial institution signature cards.

### **Article I, Duties of Officers, Continued**

**Section 4 – RECORDING SECRETARY:** It shall be the duty of the Recording Secretary to record the proceedings of meetings as accurately as is possible. He or she shall act as the Secretary of the Executive Committee and shall record the proceedings of that Committee as well. He or she shall keep the books and file the papers pertaining to the office. He or she shall notify all newly elected members of their election and furnish them with certificates of membership and shall notify an applicant in writing if the applicant was rejected for any reason. He or she shall give notice of

each special meeting at least twenty-four hours before same are held; in the event written notice cannot be provided to each member in time, an announcement may be made over the pagers and/or posted on the Department Website. He or she shall inform new members of the Department Website and coordinate them getting registered on the website. He or she shall attend to all correspondence. He or she shall submit a report at the annual meeting. He or she shall perform other duties as are incidental to the office or as may be imposed by the Company, Executive Committee, or President. For the faithful performance of duties, he or she shall be exempt from all dues and assessments, with the exception of uniform assessment as long as he or she holds office.

**Section 5 – FINANCIAL SECRETARY:** The Financial Secretary shall keep the accounts between the Company and its members, collect all dues and assessments and pay same to the Treasurer within ten (10) days after receiving same, and receiving a receipt from the Treasurer for same. The Financial Secretary shall make a report at each regular (monthly) and annual meeting of amounts due from delinquent members; notify delinquent members and perform such duties as are incidental to the office or as may be imposed by the Company, Executive Committee, or President. He or she shall make a written report on receipts and disbursements at each regular (monthly) meeting and an annual report at the annual meeting. He or she shall call or take the roll at all meetings. He or she shall issue a receipt for each sum of money received by him or her out of a book of receipts consisting of an original and a duplicate which shall be consecutively numbered and so arranged that when the original receipt is made out and removed, a copy will be preserved in the book.

### **Article I – Duties of Officers, Continued**

**Section 6 – CAPTAIN:** It shall be the duty of the Captain of the Company to rigidly enforce the Montgomery Fire District Standard operating rules and procedures, best practice guidelines and department rules and guidelines. He or she shall see that the apparatus and everything pertaining thereto is kept in good order and repair, to take charge of the Company at any emergency call, public service call, or other event and to give direction(s) thereat and to see that each member performs their duty(ies) in a safe and proficient manner. The Captain shall also arrange for

drills and schools of instruction as necessary and notify members of same through postings on the bulletin board, announcements over the pagers, or posting on the Department Website. He or she shall also assist the Chief Officers of the Montgomery Fire District in discharge of duties and shall take command of an incident as provided for in Fire District rules, procedures, and guidelines.

**Section 7 – 1<sup>st</sup> LIEUTENANT:** It shall be the duty of the 1<sup>st</sup> Lieutenant to aid the Captain in the discharge of his or her respective duties and to perform duties assigned to them by the Chief of the Department. In the absence of the Captain, the 1<sup>st</sup> Lieutenant is to perform the duties of that office.

**Section 8 – 2<sup>nd</sup> LIEUTENANT:** It shall be the duty of the 2<sup>nd</sup> Lieutenant to aid the Captain and 1<sup>st</sup> Lieutenant in the discharge of their duties and in the absence of either the Captain and/or 1<sup>st</sup> Lieutenant to assume the duties of same.

**Section 9 – WARDENS:** The Wardens shall consist of two (2) members who are Active Members of the Company. They shall have control of the uniforms, furniture, and other property of the Company and perform all the duties prescribed for them in the Membership Corporation Law of the State of New York. They shall also perform duties as described in the Montgomery Fire Department By-Laws and/or best practice guidelines/.

### **Article I – Duties of Officers, Continued**

**Section 10 – CHAPLAIN:** The Chaplain shall be an ordained member of the clergy of any faith as selected by the Company. He or she shall, upon the death of a member, attend the evening services with the Company and offer the fireman's prayer. Also, when called upon by the Company, he or she shall offer invocations or benediction as requested. At the expense of the Company, the Chaplain will be provided a class A uniform and chaplain's badge. If attending a Company meeting, the Chaplain has no voting power unless they are a member of the Company with voting power as otherwise stated in these Company By-Laws but may speak on matters before the Company.

**Section 11 – Category of Officers:** The President, Vice-President, Treasurer, Recording Secretary, Financial Secretary, and Wardens are to be known as Civil or Social Officers – that is, they handle the business, civic, and social side of Company affairs. The Captain, 1<sup>st</sup> Lieutenant, and 2<sup>nd</sup> Lieutenant are to be known as Firematic or Line Officers; that is, they handle all affairs or items dealing with the firefighting side of operations.

## **Article II Emergency Duties of Succeeding Officers**

**Section 1:** In the absence of the Captain, Lieutenants and/or past ranking officers, the President, and succeeding officers as elected shall take command and be governed by Article I, Sections 6, 7, and 8 but shall relinquish the office upon the arrival of the proper officer(s). In the absence of the President and Vice President, the most immediate Past President or Past Vice President shall run any Company meeting if a quorum of eight (8) members is present.

## **Article III Committees**

**Section 1 – EXECUTIVE COMMITTEE:** The Executive Committee shall consist of the President, Vice President, Recording Secretary, Financial Secretary, Captain and the two Wardens and shall have charge of the affairs of the Company between meetings. It shall designate the bank(s) or financial institution(s) which the funds of the Company shall be deposited or that which this Company shall do business with. It shall have the power to hear and act upon excuses for non-attendance at meetings, emergency calls, drills, schools of instruction and/or other personnel or business matters as may be determined by the President or his or her replacement if the President is absent. The Executive Committee shall hold an annual meeting in the week preceding the annual meeting of the organization and shall meet at such other times as the President may designate. The President shall call a committee meeting upon the request of two (2) members of the Committee or upon the written request of three (3) members of the Company that are in good standing. The Executive Committee shall have the power at its

discretion to examine the books and accounts of any of the officers. It shall make a report of its proceedings at each regular (monthly) and annual meeting and shall exercise such further powers and perform such other duties as may be delegated to it by the Company. If a meeting is not held in any given month and there are applications for membership, the Executive Committee shall have the power to approve such applications for membership providing the results of the Applicant Investigating Committee are favorable to avoid a lengthy delay in the applicant(s) being accepted. The executive committee shall not have meetings, and act upon matters, in place of the regular meetings of the company, except as noted above.

**Section 2 – SICK COMMITTEE:** The Sick Committee shall consist of two (2) members of any membership category whose duty it shall be to recognize the will(s) of an ill member or their family immediately upon notification.

**Section 3 – AUDITING COMMITTEE:** The Auditing Committee shall consist of three (3) members. Immediately prior to the annual meeting, this Committee shall examine all accounts of the Company. The report of the Auditing Committee shall be made at the annual meeting. The Committee shall also verify all balances with any bank(s) and other financial institution(s). The Committee shall perform such other duties as may be assigned to it by the Company, Executive Committee, or President.

**Section 4 – APPLICANT INVESTIGATING COMMITTEE:** Duties and members of this committee are listed in the Company Constitution under Article III, Section 7.

**Section 5 – SPECIAL COMMITTEES:** If a special committee is needed to be formed for any reason, the President or Presiding Officer at any meeting shall ask for a volunteer to act as the committee chairperson; if no member volunteers, the President or Presiding Officer shall have the power to appoint the chairperson of the special committee(s) needing to be formed and the said chairperson shall have the privilege of appointing the balance of that committee.

**Section 6 – REPORTS of COMMITTEES:** All committees shall give a current report at each regular (monthly) meeting and give a complete report at the next regular (monthly) meeting following the termination of their obligation.

## **Article IV Membership**

**Section 1 – Membership Categories:** Membership in the Wallkill Engine and Hose Company, Inc. shall consist of the following categories:

*Active members(Active Firefighter - Interior; Active Firefighter – Exterior Only; 16/17 Year Old; Social, and Life).*

*Non active Honorary*

The District qualifications to be an active firefighter are as follows:

- Must have an up to date District Physical.
- Must be a member in good standing in their respective company.
- Must have the minimum training as required to be a firefighter by the District.
- Must complete an 8 hour OSHA refresher course each year.  
15 hours for new members
- All active members must attend a minimum of 12 drills or training classes per year with a 5-class maximum limit (5 classes + 7 drills = 12 Drill Credits) In addition to the 8 hour OSHA refresher course in the same period
- Must Have NIMS 100 and 700

**a). Active Firefighter Interior:** Must take New York State Firefighter I or possess National Firefighter I certification from either NPQS or IFSAC or equivalent. Refer to letter from New York State Office of Fire Prevention and Control regarding past New York State courses that are the equivalent of the current Firefighter I Program. Note that firefighters who took either the “old” Essentials but never took Initial Fire Attack and Haz-Mat First Responder or only took Basic Firefighter under the Firefighter 2000 curriculum but did not take Intermediate Firefighter and Haz-Mat First Responder Operations

are not Interior Firefighters. To become an Interior Firefighter if a member fits into the preceding categories, they must take upgrade courses as directed by the New York State Office of Fire Prevention and Control or the Orange County Fire Training Center. Must also pass Fire District physical and SCBA face piece fit test annually.

- b). Active Firefighter Exterior Only:** Those personnel desiring to join the Company/Department not wanting to perform interior firefighting duties but wish to provide services on an emergency scene. Personnel in this category must take the New York State Scene Support Operations Course, Haz-Mat First Responder Operations Course, Blood Borne Pathogens Training and IDLH Awareness Training. Personnel in this category may also act as drivers of apparatus, but must complete EVOC and the appropriate NYS Apparatus Operator Course – Pumper or Aerial - prior to being qualified on those categories of apparatus and meet Montgomery Fire District guidelines for becoming a driver. Members of this category must also have an entry and annual physical exam and be fit tested and qualified on self-contained breathing apparatus for Haz-Mat and WMD incidents. If for some reason a member cannot be SCBA qualified, he or she should not respond to Haz-Mat or WMD Incidents.
- c). 16/17 Year Old Member:** Persons who have attained the age of sixteen (16) may become Active Members of the Company in accordance with conditions and regulations of the Wallkill Engine and Hose Company By-Laws, Montgomery Fire District and Montgomery Fire Department By-Laws and SOG's/SOP's as well as any local, state or federal laws. Only ten (10) 16/17 year old members are permitted to be carried on the active roll of the Company at any given time.
1. Application for 16/17 year old membership must be filled out by the applicant, signed by his or her parent or guardian, and returned accompanied by the parent or guardian to the Company. Verification of the 16/17 year old applicant's date of birth must be provided by a certified copy of the birth certificate and the Proof of Birthdate Requirement form must be filled out and signed by both the applicant and the parent or guardian and returned with the application. The Captain is to read the regulations placed on 16/17 year old members, and if the parent or guardian agrees or



disagrees, must so state and sign the application in the presence of the Captain. The application will then be handled in the same manner as that of an Active Member.

2. Further information, rules, and regulations pertaining to 16/17 year old members are listed in Appendix A of these By-Laws.

**f). SOCIAL MEMBER (Formerly Associate Member):** This category is for persons desiring to join the Wallkill Engine and Hose Company and the Montgomery Fire Department to assist with such things as fund raising, preparing food for large scale or drawn out incidents etc but the individual has no desire to, or is not able to, render services at an emergency scene. A social member shall not respond to the scene of any incident.

- 1) Persons holding an Associate Membership in the Wallkill Engine and Hose Company prior to the adoption and acceptance of these By-Laws will fall into the requirements of the “Associate Member” of the previous edition of the Company By-Laws, Revised Edition of February 1993, Article X, Associate Members as stated below:

Section 1. The honor of associate membership may bestowed by a majority vote of the Company, upon any person ineligible for active membership, who may have rendered a distinctive service to this Company or community at large.

Section 2. An associate member must be governed by the same house rules and regulations as an active member and will be allowed the same house privileges.

Section 3. An associate member shall have no vote in this Company and no voice in the meetings, except by permission of the president.

Section 4. He shall be exempt from all dues, fines and assessments whatsoever.

- 2). Persons applying for Social Member Status in the Wallkill Engine and Hose Company after the adoption and acceptance of these

By-Laws are under the following rules and must be at least sixteen (16) years of age.

- a). Must submit \$5.00 application fee which is kept as Company Funds whether or not the applicant is accepted.
- b). If accepted, must pay \$6.00 per year dues.
- c). May attend Company meetings and speak on subjects when recognized by the presiding officer and may vote on matters before the Company.
- d). May only vote for Company Civil Officers; may not vote in department elections.
- e). Shall not be issued a Class A Uniform, but may be issued a Class B work shirt.
- f). Shall be governed by the same house rules and regulations as for Active Members.
- g). HONORARY MEMBER:** An Honorary Membership in the Wallkill Engine and Hose Company may be awarded to any member of the community ineligible for Active Membership but who has rendered a distinctive service to the Fire District, Department, Company or the community at large. There is no minimum age requirement to be an honorary member of this Company.
  - 1). Two (2) members in good standing must write and sign a letter to the Company recommending the person or persons for Honorary Member status and the letter must clearly state the reason(s) the recommendation is being submitted.
  - 2). A two-thirds (2/3) majority vote of those members present in good standing (eligible to vote) at any Company meeting is required to bestow an Honorary Membership. If approved by the two-thirds (2/3) majority, the Recording Secretary will notify the person(s) in writing which will be accompanied by a certificate of membership

- 3). Honorary members may attend Company meetings, but will not be allowed to speak or vote on any subject. They will also be governed by the same rules and allowed the same house privileges as an Active Member.
- 4). Honorary members are exempt of all dues and other financial assessments.
- 5). Honorary members may not attend any alarms or functions requiring Interior/Exterior Firefighter, EMS Only, or Fire Police qualifications.

## **ARTICLE V** **Life Members**

**Section 1:** Any member having served ten (10) years as an Active Member and is in good standing with the Company shall become a Life Member.

**Section 2:** Any member having served all three (3) Chief Officer grades – That is, Second Assistant, First Assistant, and Chief shall become a Life Member at the end of their term as Chief.

**Section 3:** Life Members shall receive a Life Member certificate, card, and badge and are exempt of all dues and other financial assessments.

**Section 4:** Life Members may continue to serve as firefighters providing they comply with the necessary Montgomery Fire District, Montgomery Fire Department, and Wallkill Engine and Hose Company rules and requirements for the category they hold at the time of the awarding of their Life Membership.

**Section 5:** Life Members shall be subject to all rules and regulations of the Montgomery Fire District, the Montgomery Fire Department, and this Company.

**Section 6:** Any member of this Company regardless of membership status or length of service that performs a life saving rescue shall be awarded a Life Membership in this Company.

## **ARTICLE VI** **REGULATIONS**

**Section 1:** Active Firefighter Interior, Active Firefighter Exterior Only, 16/17 Year Old Member, and Social Members shall be known as *Active Members* of the Wallkill Engine and Hose Company. *Senior Members* include all of the categories except 16/17 Year Old Members and Honorary Members.

**Section 2:** No member shall conduct himself improperly while on duty or shall be guilty of violation of orders of the incident commander, or shall be intoxicated by liquor or under the influence of narcotics or dangerous drugs at any emergency, drill, school, meeting, parade, inspection or in or about the firehouse. Any member that has consumed alcohol or is on medication(s) that may cause impairment of ability(ies) and/or judgment should refrain from responding to any alarm or other activity. Officers are responsible for removing any individual from an emergency incident or other activity as soon as they become aware an individual is under the influence of alcohol or other substances.

**Section 3:** No member shall make a false report of another member of this Company or Department; charges of filing a false report will be initiated by the first officer – line or civil – that becomes aware that the accusation(s) made are false.

**Section 4:** To be eligible to vote in Company and Department elections, those in the Active Member categories must have their dues paid by October 31<sup>st</sup> of the current year. Any member in arrears of dues shall not be allowed to vote in either Company, Department, or Fire Police elections or vote on any question before the Company until his or her account is settled.

All members being in arrears for six (6) months or over shall be notified by the Financial Secretary of the Company in writing by certified mail/return receipt of the amounts due them to the Company who shall add one dollar (\$1.00) to such notice per month until the account is settled and if they do not appear and settle within one (1) month thereafter being notified the member(s) shall be suspended. The Financial Secretary shall read the names of those members in arrears at each meeting.

- a) Also to be eligible to vote in Department elections, Active Firefighters must meet the requirements of the Department – See Appendix “B.”

## **Article VI – Regulations, Continued**

**Section 5:** No member shall break, damage, take or use for personal use any furniture or property belonging to the District, Department, or Company. Any member found to have done so on the valid complaint of another member or members and is convicted of same shall pay for any damage(s) done and be expelled.

**Section 6:** No member shall leave a meeting without permission of the presiding officer.

**Section 7:** All members shall come to order when called on at any meeting, uncover (remove headgear) and be seated. Bar stools are not permitted to be used in Company meetings.

**Section 8:** No member shall introduce religious or labor subjects, nor use indecent or profane language or any personalities toward any member.

**Section 9:** No member shall inform any person not a member of this Company of any business transacted at a Company meeting.

**Section 10:** No member shall give the combination of the fire station to any person not a member of this Company or Department. The only exception is that it may be given to a vendor or a person performing work in or around the station, but a Warden shall be notified this was done and to whom it was given.

**Section 11:** The presiding officer at a meeting shall recognize a member who desires to address the Company; when two or more members desire to speak at the same time the presiding officer shall designate the member entitled to the floor and in case any member(s) consider themselves aggrieved, he or she shall at that time have the privilege of appealing the decision of the presiding officer. No person shall be entitled to speak more than twice on the same subject unless he or she obtains permission from the Company. A member speaking shall not be interrupted by another member.

**Section 12:** When a question is put before a meeting to be voted upon, all eligible members except those personally interested must vote on the same by raising the right hand for or against the subject unless excused from voting by the presiding officer.

**Section 13:** Resignation must be in writing and can only be accepted by a two-thirds (2/3) majority vote of the members present at a regular (monthly) meeting. In the event a regular (monthly) meeting is not held due to a lack of a quorum of eight (8) members, a resignation may be accepted by two-thirds (2/3) majority vote of the Company Executive Committee. A resignation vote can only be taken after all debts to the District, Department, and Company have been paid and all property held by the member is returned to the Recording Secretary; the Recording Secretary will notify the Company that all property held by the member has been returned and will issue a receipt to the member stating that all property has been received; one copy of this receipt will be given to the member and one copy will be placed in the Company files.

**Section 14:** The same regulations shall be enforced at the annual meeting and special meetings as at the regular (monthly) meeting.

**Section 15:** An amendment is at all times in order, and if accepted by the member proposing the resolution, the question shall be on the amendment; if not, the amendment shall be the first under consideration.

**Section 16:** Should a dispute arise regarding procedure during a meeting, the following order of resolution shall be utilized to settle the matter –

current Company Constitution and By-Laws, past practice, and if there is nothing that covers the subject under these two categories, then Roberts Rules of Order shall be used to determine the final outcome.

**Section 17:** Members should, as soon as possible after being accepted, apply for the school they need for their membership category i.e.- for Interior Firefighter that would be Firefighter I (86 Hours); Exterior Only Firefighter, Scene Support Operations (27 Hours) etc. It is realized by this Company that some of the schools are in high demand, that there is a waiting list at the County for some schools, and that some schools may only be offered once or twice a year and because of family or work commitments a member may not be able to immediately enroll in the school they need. Therefore, no time limit(s) will be imposed by which members must have their school by – i.e., have FF-I within one year of joining due to these factors.

**Section 18:** Persons related to one another, whether close or distant, shall not occupy any two offices which involve the handling of Company funds.

**Section 19:** These By-Laws shall take effect on January 1<sup>st</sup>, 2014 and shall supersede any and all previous By-Laws of the Wallkill Engine and Hose Company of the Montgomery Fire Department.

## **ARTICLE VII**

### **Oath of Installation/Initiatory Address for New Members**

**Section 1:** Per Article I, Section I of these By-Laws under Duties of Officers, it states that the President of the Company is responsible for the installation of new members. However, a new member may choose any member in good standing to administer the Oath of Installation/Initiatory Address as is written below.

**Section 2:** In no case as long as the Wallkill Engine and Hose Company of the Montgomery Fire Department is in existence will this oath ever be removed from, or written out of, the Company By-Laws.

## **Oath of Installation/Initiatory Address**

**Having been admitted as a member of this Company, you will perceive the necessity of thoroughly acquainting yourself with the By-Laws and duties devolving upon a firefighter. You will also see that much depends upon individual exertion in the maintenance of that perfect discipline and good order which is desirable should characterize the Company.**

**It becomes your duty, therefore, to support and obey the laws prescribed for its government; to unite in fellowship with your brother and sister members in preserving good order and harmony, and use all honorable means to benefit this Company.**

**Having confidence in your disposition to discharge these and all other duties that may be required of you, the members of the Wallkill Engine and Hose Company, Inc., bid you welcome and cheerfully assign you a place in their ranks.**

### **ARTICLE VIII** **Removals and Expulsions**

**Section 1:** Any member may be expelled from the Company for cause by a two-thirds (2/3) majority vote of the Active Members present at a regular (monthly) or special meeting provided the accused shall have been served with written charges at least ten(10) days prior to the meeting by certified mail with return receipt together by the Recording Secretary with notice that charges will be considered at the next regular (monthly) meeting.

**Section 2:** The Company shall have full power to determine what shall constitute sufficient cause for expulsion.

**Section 3:** Any member having been expelled from this Company shall not again be eligible to membership of this Company.



**Section 4:** Any member not attending one (1) Company meeting in a calendar year - January to December - shall be brought up for expulsion with the exception of Life and Honorary Members.

**Section 5:** An officer of this Company may be removed from office for conduct unbecoming their position or for the inattention of the duties to his or her office. In all cases, the officer shall be notified by the Recording Secretary by written notice of such misconduct or neglect of duty, and a two-thirds (2/3) majority vote of the members present at any meeting shall be necessary for his or her removal.

**Section 6:** Members must notify the Recording Secretary within thirty (30) days of any change of address or telephone number; failure to do this is grounds for expulsion.

## **ARTICLE IX** **Excuses**

**Section 1:** The following are legal excuses for non-attendance of duties, meetings, drills, response to alarms etc: Work; Sickness; School; Death in the Family; and Family Care. However, it is also realized that in today's world people may be working two or three jobs, working full time and attending school at night or on weekends, or because of their job have to catch up on home maintenance whenever they can and cannot attend every call, meeting, drill etc.

**Section 2:** Any member leaving the area to attend a school of higher education shall notify the Financial Secretary in writing.

**Section 3:** Members on active duty status in the armed forces are credited for six years service and dues are waived during active duty time in the armed forces. Members in reserve units of the armed forces are still responsible for their annual dues unless they get activated to duty and deployed in which case annual dues are waived for the term of their deployment if it is one year or more.

**Section 4:** All Active Status Members must send a written excuse to the Recording Secretary every quarter stating their reason for being absent from each regular (monthly) or quarterly meeting. However, members that work permanent evening shifts – 3-11 p.m., 4-midnight or permanent 24 hour shifts every Wednesday need only to submit one (1) excuse for the year. Should a member’s work hours change, he or she shall notify the Company in writing.

**Section 5:** Members attending any firematic school, EMT Class etc shall submit a letter to the Company stating what class, they are taking and the dates so they can be excused from calls, meetings, drills, work details etc. for the duration their class.

## **ARTICLE X**

### **Death of a Member**

**Section 1:** In case of a death of a member of this Company it shall be the duty of the Captain and the Chaplain to call upon the relatives of the deceased member to determine if the member and/or family wish to have firematic services and/or a full fire department funeral. Unless otherwise so stated, members shall attend funeral services in full dress uniform or appropriate civilian attire. The Montgomery Fire Department funeral guideline shall be followed.

**Section 2:** Upon being informed of the death of a member, the Recording Secretary shall immediately contact the Montgomery Fire District Commissioner in charge of insurance to start the benefits process and shall give notice of the date and time of memorial and funeral services to all members of the Company.

**Section 3:** It shall be the duty of the President and Captain of the Company to see that the firehouse is draped in mourning bunting for thirty (30) days after the death of the member and that the member’s name is affixed to the memorial clock over the door to the social hall entrance on the front of the firehouse for thirty (30) days as well.

**ARTICLE XI**  
**Uniforms**

**Section 1:** Class A, or full dress uniforms, are normally provided to an Active Status Member after one (1) year of membership providing the member is in good standing with the Company and the Department. Social and Honorary members are not issued Class A uniforms. However, under certain circumstances, a member may be granted a Class A uniform prior to one year's service – an example being that if the member is in FF-I Class with other members of this Department and one member deceases during the training program, then the one year membership rule is usually waived to allow other members to obtain a Class A uniform for memorial services.

**Section 2:** In order for a member to obtain a Class A uniform, the Company must send a letter to the Department recommending the member obtain the uniform. Once approved by the Department, a uniform agreement is then signed by the member and a deposit of fifty dollars (\$50.00) is submitted to the Department at which time the member is informed of where to obtain the uniform. Upon the return of the uniform (in good condition) the \$50.00 deposit shall be returned to the member

**Section 3:** Class B uniform shirts, or station duty uniform shirts, are issued to all members regardless of status except for Honorary Members.

**ARTICLE XII**  
**Construction of the By-Laws**

**Section 1:** If any dispute arises regarding the meaning of the By-Laws, the meaning shall be decided by a two-thirds (2/3) majority vote of the members present at a regular (monthly), special, quarterly or annual meeting; the resulting decision of which shall be entered into the Company minutes as a precedent for the future.

**ARTICLE XIII**  
**Alteration(s) or Amendment(s) of By-Laws**

**Section 1:** No alteration(s) or amendment(s) shall be made to these By-Laws without a two-thirds (2/3) majority vote of the members present at a regular (monthly), special, quarterly, or annual meeting and all proposed alterations or amendments must be made and submitted in writing and shall lay over until the next Company meeting of any category (regular/monthly, special, quarterly, or annual) before action may be taken on the alteration(s) or amendment(s).

**Section 2:** All proposed alteration(s) and/or amendment(s) to the By-Laws must be submitted in duplicate with one copy to be given to the Recording Secretary for placement in the minutes and the second copy to be posted on the Company bulletin board until the next regular (monthly) Company meeting.

**Section 3:** The only exception to posting alteration(s) and/or amendment(s) to the By-Laws on the Company bulletin board is that if the By-Laws in their entirety have been revised. The Recording Secretary shall notify all members that the draft or final version of the by-laws may be obtained from the By-Laws committee and each member will sign that they received a draft copy and will also sign when they receive their final adopted version.

**APPENDIX "A"**  
**16/17 Year Old Members or Junior Members**

**Section 1:** As stated in Article IV, Section 1-c-2, further information, rules and regulations specific to 16/17 Year Old Members are listed in this Appendix. 16/17 Year Old Members come under strict rules and regulations from the U.S. Department of Labor, Occupational Safety and Health Administration Child Labor Laws as well as New York State Department of Labor Child Labor Laws which are enforced by the Public Employees Safety

and Health (P.E.S.H.) Division as to what they can and cannot do as far as training and operating at an actual emergency incident.

**Section 2:** 16/17 Year Old Members will be directly responsible to the Company and Department officers as an Active Member in regards to their duties and behavior at the station, at any emergency or non-emergency scene, drills, parades, or at other events this Company or Department is on-duty at.

**Section 3:** 16/17 Year Old Members must obey all traffic laws and control their vehicle(s) going to and from the firehouse while responding on emergency and non-emergency calls. The District, Department, and the Company will not be responsible, nor tolerate, any traffic violation(s) incurred by 16/17 Year Old Members. Failure to obey all traffic laws while responding to the firehouse on any call for assistance will result in immediate dismissal and the individual(s) will not be permitted to re-apply for membership.

**Section 4:** 16/17 Year Old Members will not be permitted to start or drive any District, Department, or Company apparatus. Any 16/17 Year Old Member caught starting or driving apparatus will be immediately dismissed. When riding fire apparatus, 16/17 Year Old Members will do so by sitting in the cab or jump seats and will utilize seat belts.

**Section 5:** 16/17 Year Old Members *shall not* respond on the first due apparatus to any alarm. For structure fires this means the first out engine and the truck. However, an exception may be made to this rule in extreme circumstances by the apparatus officer if a 16/17 Year Old Member has completed Firefighter I, but the officer and the 16/17 Year Old Member must be aware that the 16/17 Year Old Member cannot enter the structure or I.D.L.H. environment. The 16/17 Year Old Member may be utilized to make the hydrant connection to free up qualified interior firefighters and will then assist the driver as needed.

**Section 6:** At the scene of a fire or emergency, 16/17 Year Old Members are limited as to their duties and responsibilities:

a). **NO 16/17 YEAR OLD MEMBERS ARE PERMITTED TO ENTER A STRUCTURE THAT IS ON FIRE OR ANY OTHER IMMEDIATELY DANGEROUS to LIFE and HEALTH (I.D.L.H). ENVIRONMENT- INSIDE OR OUTSIDE(Car fires etc)- EVEN IF THEY HAVE COMPLETED FIREFIGHTER I OR OTHER SUCH TRAINING.**

b). Under no circumstances are 16/17 Year Old Members permitted to start or operate power equipment at an actual incident. However, they may obtain power equipment from apparatus and bring to a Senior Member.

c). 16/17 Year Old Members may receive hands on training in the use of power equipment – ventilation saws, chain saws, Hurst tools, portable generators etc.

d). 16/17 Year Old Members may receive training on self-contained breathing apparatus but are not permitted to use it at an incident even if they have completed FF-I.

e). 16/17 Year Old Members may participate in live fire training provided they have received documented training in the following subjects per the New York State Office of Fire Prevention and Control (OFPC):

- |                                |                            |
|--------------------------------|----------------------------|
| -Firefighter Safety            | -Fire Hose, Appliances and |
| -Fire Behavior                 | Fire Streams               |
| -Portable Extinguishers        | -Overhaul                  |
| -Personal Protective Equipment | -Water Supply              |
| -Ladders                       | -Ventilation               |

f). 16/17 Year Old Members are not permitted to respond to the scene on hazardous-materials (Haz-mat) calls, WMD incidents, or aircraft accidents.

g). 16/17 Year Old Members are not permitted to respond to any mutual aid calls.

- h). In the event there is no Chief Officer in control of the scene, 16/17 Year Old Members shall remain near the apparatus and assist the driver(s) as needed.

**Section 7:** 16/17 Year Old Members are not permitted to consume alcohol or handle alcoholic beverages of any kind on District/Department or Company property or at any District/Department or Company function(s) of any kind. Violations for this offense will be immediate dismissal from the Company.

**Section 8:** In no instance will a 16/17 Year Old Member leave school to answer an alarm or emergency call.

- a). While school is in session, no 16/17 Year Old Member will be allowed to attend any alarm or firematic function after 2300 hours (11:00 p.m.). There will be no exceptions to this rule.
- b). When necessary, an excuse will be written by the Chief Officer in charge if a 16/17 Year Old Member misses part of a school day due to an alarm or emergency. These excuses will be for exceptional situations only – not for routine alarms. 16/17 Year Old Members are discouraged from attending alarms or emergencies that might interfere with school attendance.
- c). Should a drill run past 2100 hours (9:00 p.m.), either a Chief Officer or the Officer in Charge of the drill shall provide 16/17 Year Old Members with a written excuse in the event they are stopped by a police officer on their way home.

**Section 9:** A list of all current 16/17 Year Old Members shall be forwarded to the Principal's Office of the Member's High School on a quarterly basis by the Captain of the Company.

**Section 10:** 16/17 Year Old Members must maintain passing grades while attending school and the Company will request that parents or guardians notify the Company immediately if the member fails to maintain passing grades. 16/17 Year Old Members are also required to show their report cards to the Captain of the Company every marking period, and should the

16/17 Year Old Member fail to maintain passing grades, the member will be suspended until grades improve. Should the member be enrolled in any firematic school, they will be prohibited from completing that school if they are suspended for failing grades or any other reason.

**Section 11:** At the regular (monthly) meeting prior to their 18<sup>th</sup> birthday, the 16/17 Year Old Member should submit a letter notifying the Company they will be turning 18 and requesting they become a Senior Member. The Captain of the Company is responsible for sending a letter to the Commissioners at their monthly meeting that the member(s) have turned 18 and been accepted as a Senior Member of the Company. If the 16/17 Year Old Member has served more than one (1) year in active service as a 16/17 Year Old Member, his or her probation period will be waived.

- a). Note that if the 16/17 Year Old Member has completed Firefighter I prior to their 18<sup>th</sup> birthday, when they become a Senior Member they will be issued a black (interior firefighter) helmet. If they have not completed Firefighter I prior to their 18<sup>th</sup> birthday they will retain their yellow (non-interior firefighter) helmet until Firefighter I is completed.

**Section 12:** Any 16/17 Year Old Member who drops out of school before graduation will be dropped from the membership rolls of the Company. Upon reaching their 18<sup>th</sup> birthday, they may apply for membership as a Senior Member.

**Section 13:** 16/17 Year Old Members in good standing (dues paid, made adequate number of calls, drills, and meetings etc.) can vote for Company Civil and Firematic Officers but cannot hold any office.

**Section 14:** 16/17 Year Old Members may enter the firehouse but cannot bring a guest into the house unless a Senior Member is present.



## APPENDIX “B”

### Requirements of Members

**Section 1:** To be eligible to vote in Company elections, Active Members must have their dues paid by October 31<sup>st</sup>, Attend four (4) meetings per year, Make ten (10) percent of all calls from November 1<sup>st</sup> through October 31<sup>st</sup>, Complete the Annual 8 Hour Refresher Course, Have attended twelve (12) drills, and have a current physical. Since Social Members cannot vote for Company Line Officers or in Department Elections but can vote for Company Civil Officers, they are not required to meet the standards for an Active Firefighter, however – they must attend four (4) meetings per year, one of which is the annual meeting in December. Honorary Members are not permitted to vote in either Company or Department elections. 16/17 Year Old Members are permitted to vote in Company elections for Civil and Line Officers provided they have met the requirements of this section, but cannot hold any office.

**Section 2:** To be eligible to vote in Department Elections, Active Members must meet the same requirements as in Section 1 of this Appendix. 16/17 Year Old Members, Social, and Honorary Members are not permitted to vote in Department Elections.

**Section 3:** All Active Member categories must complete the National Incident Management System (NIMS) 100 and NIMS 700 Courses which can be done on-line. New York State Office of Fire Prevention and Control (NYS OFPC) requires that in order to complete the Firefighter I and Scene Support Operations Courses a firefighter must hand in their NIMS 100 completion certificate by the end of the FF-I course but it is recommended that members complete NIMS 100 prior to starting FF-I due to the reading requirements of FF-I. NIMS 700 is required to be completed by all Active Firefighters so the District and Department are eligible to receive Federal Grant Monies. Members of all categories are not discouraged from completing other NIMS Courses – 200, 300, 400, and 800 should they desire to do so, although 300 and 400 are primarily for Chief Officers and Commissioners.