

FIRE ISLAND PINES VOLUNTEER FIRE DEPARTMENT

CONSTITUTION & BY-LAWS

Updated October 7, 2023

ARTICLE 1: Purpose

The purpose of the Department shall be the preservation and protection of life and property within the defined Area of Operations. In addition, the Department will promote the prevention of fire by working with and educating the public within its Area.

ARTICLE 2: Area of Operations

Section 1: Fire Protection District(s)

The Department shall operate within the Fire Island Pines Fire District and such fire protection districts as are under contract to it.

Section 2: Mutual Aid

The Department shall also assist other fire districts when called upon by the proper authority for mutual aid.

ARTICLE 3: Officers

There will be two classifications of Officers:

1. Elected Officers
2. Appointed Officers

Section 1: Board of Directors

1. The Elected Officers and Appointed Officers will form the Board of Directors of the Department and are as follows:

Department Officers:

- a. Chief (President)
- b. First Assistant Chief (First Vice-President)
- c. Second Assistant Chief (Second Vice-President)
- d. Secretary
- e. Treasurer
- f. Captain
- g. Lieutenant

Appointed Officers:

- h. Health & Safety Officer
 - i. Training Officer
 - j. Communications Officer
2. The Board of Directors will hold an annual organizational meeting no later than March 1 of each year.
 3. All Officers Meetings are designated Board of Directors meetings.
 4. The Board of Directors will manage the department according to any applicable laws of the State of New York, policies and directives from the Board of Fire Commissioners, the Department's Constitution and By-laws, Standard Operating Guidelines and Policies.
 5. The Board of Directors collectively is able to approve expenditures on behalf of the Department in an amount not to exceed \$2,500 for any one purpose. For purposes of this authority only the quorum of the Board of Directors shall constitute at least 51% of Elected Officers and Appointed Officers present with a simple majority of those present governing decisions.

A. Election of Officers

1. Nominating committee:
 - a. The Chief shall appoint a Nominating Committee for the purpose of establishing a slate of nominees for Department officers.
 - b. The Nominating Committee shall be comprised of three (3) eligible voting Department members.
 - c. The slate of nominees shall be presented to the Board of Fire Commissioners at their next regularly scheduled meeting prior to the election and shall be presented to the Department at least seven days in advance of the election.
2. Elections must be by written ballot and shall take place at the Annual Fall Meeting.
3. All Officers shall be elected by a majority vote of eligible members, following the presentation of a slate of nominees by the Nominating Committee and/or nominations from the floor.
4. Eligible voting members are
 - a. all active members in good standing and life members.
5. Each nominee shall be an active member of the Department, in good standing, and upon election, will serve a calendar year term commencing the following January 1st, subject to the approval by the Board of Fire Commissioners.
6. If an electee is not approved, the Chief or senior officer will call a new election no later than the next regularly scheduled meeting to fill such office or offices.

B. Minimum requirements of nominees for Chief, First and Second Assistant Chiefs

1. Chief
 - a. Shall have seven (7) years experience as an active member in a fire service.
 - b. Shall have the required training specified in N.F.P.A. standard 1001, Standards for Fire Fighter Professional Qualifications, Levels I and II, 1997 edition, "Essentials of Fire Fighting I and II [Basic]" as provided by Suffolk County Training Academy.

- c. Shall have two (2) years experience in a management position as an officer of the Department
 - d. Ten (10) years of active duty in a fire service may be substituted for 1(b).
2. First Assistant Chief
 - a. Shall have five (5) years experience as an active member in a fire service.
 - b. Shall have completed Firefighter I.
 - c. Shall be familiar with the Standard Operating Procedures and the Incident Command System.
 3. Second Assistant Chief
 - a. Shall have five (5) years experience as an active member in a fire service.
 - b. Shall have completed Firefighter I.

Section 3: Appointed Officers

The officers below may be appointed by the Chief to a one calendar year term, and may be held by any person deemed qualified.

- a. Safety Officer
- b. Training Officer
- c. Communications Officer

Section 4: Officer Vacancy

In the event that any elected office becomes vacant, a special election will be held at the next regularly scheduled meeting, or a special meeting will be called by the Chief or senior officer to fill that office for the remainder of the term. Appointed officer vacancies may be filled by the Chief as soon as is possible.

ARTICLE 4: Duties of Officers

Section 1: Chief

The Chief shall also be known as the President of the Board of Directors and shall:

- a. command the Department at all alarms and drills, and represent the Department at any interdepartmental functions.
- b. preside at Department meetings, and enforce the By-Laws of the Department.
- c. attend the meetings of the Board of Fire Commissioners, or when unable to do so, appoint another Department Officer to represent the Department and Organization.
- d. appoint all Committees, creating standing or special committees when deemed necessary.
- e. have the authority to expend up to five hundred dollars (\$500) without prior approval of the membership. Such expenditures shall be reported by the Treasurer at the next regularly scheduled meeting.
- f. along with the Secretary, audit the Treasurer's annual report each January for the preceding year, and file such report with the Department records.
- g. present the result of all elections of Officers to the Board of Fire Commissioners.

- h. present applications of new members to the Board of Fire Commissioners.
- i. see that periodic inspections of the public and commercial buildings in the Fire Protection District be made for the purpose of furnishing the members of the Department with the necessary information to provide improved fire fighting practices.

Section 2: Assistant Chiefs

The Assistant Chiefs shall also be known as Vice-Presidents of the Board of Directors and, in the absence of the Chief, shall assume the duties and responsibilities of the Chief in the order of First then Second Assistant Chief.

Section 3: Secretary

The Secretary shall also be known as the Secretary of the Board of Directors and shall:

- a. transact Department correspondence, including informing all members of the dates and times of scheduled drills, education and training sessions, special events, meetings, and annual meetings. Such information is to be sent by first class mail or by Internet email to all members by March of each calendar year.
- b. preserve all records and reports
- c. keep the minutes of meetings
- d. keep a correct record of all members, with the dates of their membership acceptance, a record of their completed training, and a record of their attendance at drills, alarms, and other department functions.
- e. shall, along with the Chief, audit and approve the Treasurer's annual report at the organizational meeting for the preceding year, and file such report with the Department records.
- f. shall receive a stipend each year in December.

Section 4: Treasurer

The Treasurer shall also be known as the Treasurer of the Board of Directors and shall:

- a. have custody of all funds of the Department
- b. make all collections of the insurance tax, dues, and miscellaneous receipts.
- c. make disbursements as authorized by the Department, keeping accurate accounts.
- d. make a complete report at the Annual Meetings of all expenditures and receipts, and the financial status of the Department.
- e. make all records available to the Board of Fire Commissioners upon written request of that body.
- f. shall receive a stipend each year in December.

Section 5: Captain

The elected Captain shall assume duties under orders from the Chief, and ensure that each member receives the necessary training and certifications pertaining to those areas where the Captain is given oversight.

Section 6: Lieutenant

The elected Lieutenant shall assume duties under orders from the Chief, and ensure that each member receives the necessary training and certifications pertaining to those areas where the Lieutenant is given oversight.

Section 7: Safety Officer

Functions are comprised of the health and safety officer (HSO) and the incident safety officer (ISO). These roles can be performed by one member or several members as designated by the Chief. The Safety Officer's responsibilities fall into two clear cut categories: those associated with responding to the incident scene, and those associated with managing the emergency and non-emergency operational and day-to-day activities of the department, in accordance with NFPA 1521, Standard for Fire Department Safety Officer. The Safety Officer shall be an active member of the Department, in good standing, and be familiar with Incident Command Systems and fire behavior, and have taken an approved Incident Safety officer course.

Section 8: Training Officer

Will be responsible for establishing an annual training plan. The plan will include accurate and up-to-date training records of all active members of the Department, and in conjunction with the Department officers establish training sessions on site or at the Suffolk County Fire Academy. The training officer, or any chief officer, may add a drill or training session at any time during the calendar year.

Section 9: Communications Officer

Their duties will include coordinating and implementing policy concerning radio communications, training of Fire Department and Auxiliary members on radio procedures, and managing Fire Police activities. The Communications Officer shall be charged with the utilization and maintenance of communications equipment and correct radio procedures.

Section 10: Order of Command

At any alarm or drill, the order of command within the Department will be in the order of the first arriving Active Member until the arrival of the Chief, First Assistant Chief, Second Assistant Chief, Captain or Lieutenant. In the absence of any Officer, the senior firefighter will assume command. In the case of mutual aid from another Department, and the absence of any Officer, the senior firefighter will assume the duties of Officer in Charge.

At any meeting or social event, the order of command will be in the order of the Chiefs, then Secretary and then Treasurer.

Section 11: Removal from Office

Any Officer may be removed from office for cause, upon a two-thirds (2/3rds) written vote by active members at any special meeting called for that purpose where a quorum is present.

ARTICLE 6: Members

There shall be five (5) categories of members:

1. Probationary
2. Active
3. Life
4. Honorary
5. Auxiliary

Section 1: Probationary Member

- a. Any person interested in membership with the Department must complete an application, and submit it to the Chief.
- b. The Chief will review the application to insure that the applicant meets the qualification for membership and if so, schedule an interview at the next Officer's meeting.
- c. If accepted by the Department Officers, the candidate is scheduled for an in-person interview at the next Department meeting.
- d. The Department members will move to have the candidate's application presented to the Board of Fire Commissioners, or if they deem the applicant unacceptable, they must specify their rationale.
- e. Prior to the candidate's application being presented to the Board of Fire Commissioners, the Chief will submit a request for arson conviction records with the applicant's name and vital information to the Suffolk County Sheriff's Office.
- f. If a report is returned stating, "no record on file," the application is presented by the Chief to the Board of Fire Commissioners.
- g. Following the approval of the Board of Fire Commissioners, all candidates must make arrangements for a complete physical and drug test with the Department's physician.
- h. Once the Department's physician report is favorably received the candidate becomes a Probationary Member in the Department.
- i. The Officer overseeing probationary members will provide quarterly evaluations to new probationary members. These evaluations will identify strengths, weaknesses and indicate if any specific areas of improvement are needed.
- j. The Officers will review and approve a Probationary member becoming an Active Member one year from the date of acceptance by the Board of Fire Commissioners provided attendance requirements are met, completion of FF I Basic course and exam.
- k. Membership is automatically terminated for failure to complete the training by the one year time period or the Probationary Member logs less than 25% of the minimum required attendance in a calendar year.

Section 2: Active Member

- a. An Active Member must maintain fifty percent (50%) attendance of the weekend drills and ten percent (10%) attendance of all alarms OR fifty percent (50%) of all Yaphank trainings during each calendar year. Unscheduled or weekday drills may be substituted to achieve the required drill attendance if needed.
- b. An Active member who logs between 25% and 50% of the required attendance in a calendar year is not considered in good standing, and automatically returns to

probationary member status for the next calendar year, after which time good standing status is reinstated if the 50% attendance requirement is met during that calendar year. If any Active member on probation fails to reach the 50% attendance requirement during that calendar year, they shall automatically be dismissed from the Department.

- c. An Active Member placed on probation may not vote in Department elections, or serve as an elected Officer.
- d. An Active Member who logs less than 25% attendance in any calendar year is automatically dismissed from the Department.
- e. A Leave of Absence may be granted to an Active Member upon written application to the Chief and at the Chief's discretion. During such period of time, the Active Member is temporarily released from all required duties. Leave of absence is only good for a period of one (1) year and must be renewed each year in writing for a period of two (2) years maximum.
- f. Badges may be issued to Active Members upon request and following the deposit of a fee set by the Department Officers or Treasurer.

Section 3: Life Member

- a. An Active Member, after fifteen (15) years of active service in the Department may apply to the Chief to become a Life Member. This application must be approved by the Department's Officers.
- b. A Life Member is exempt from all the duties and responsibilities of Active Members, but is entitled to vote and to serve as an appointed Officer, attend all Department functions, serve on special committees, and wear Department insignia.
- c. After approval by the Department Officers, the Life Membership will be presented to the Membership for a vote at the next regularly scheduled meeting.
- d. In addition, a Life Member may choose to remain an Active Member by continuing to fulfill all the requirements for that status.

Section 4: Honorary Member

- a. All ex-Chiefs are automatically Honorary Members.
- b. Upon nomination by the Department Officers, and approved by a two thirds (2/3) vote of Active Members, where a quorum is present, any person may be elected an Honorary Member of the Department.
- c. Honorary Members are non-voting members and exempt from all duties and responsibilities of the Active Members and may wear any Department insignia presented to them.

Section 5: Auxiliary Member

- a. Any person interested in Auxiliary Membership with the Department must complete an application and submit it to the Chief.
- b. The Chief will review the application to insure that the application meets qualification for membership and if so, schedule an interview at the next Officer's meeting.

- c. If accepted by the Department Officers, the candidate is scheduled for an in-person interview at the next Department meeting.
- d. The Department members will move to have the candidate's application presented to the Board of Fire Commissioners, or if they deem the applicant unacceptable, they must specify their rationale.
- e. The Chief will present the applicants applications to the Board of Fire Commissioners for approval.
- f. Auxiliary Members are non-voting members and not Active members of the Department. Further operating guidelines and procedures for Auxiliary Members will be outlined in the Department's Standard Operating Guidelines and Policy Statements.

ARTICLE 7: Duties of Members

1. General: It shall be the duty of each member to uphold the Constitution & By-Laws of the Department and adhere to all Department Policies and Standard Operating Guidelines.
2. Alarms: It shall be the duty of each member to answer all alarms as promptly as possible and adhere to the Incident Command model and the chain of command. Each member shall, upon return from an alarm, report to the firehouse to assist in the replacement of all equipment, and to sign the log. The log shall not be signed by members until they are dismissed by the Chief or Officer in Charge. A member having sufficient reason may be excused from doing so by the Chief or Officer in Charge.
3. Meetings: It shall be the duty of each member to be present and prompt at all annual, scheduled, and special meetings of the Department.
4. Voting: Each Active and Inactive Life Member has the right and duty to vote upon every measure coming before Department meetings. (Probationary Members and Honorary Members may not vote on Department matters.)
5. Personal Protective Gear: It shall be the duty of each member to wear protective gear as prescribed in Standard Operating Guidelines when answering alarms and attending drills.
6. Class A Uniforms: All eligible members who have been issued a Class A / Class B uniform must adhere to the practice protocol and Standard Operating Guideline on the Class A - Class B uniform.

ARTICLE 8: Disciplinary Actions

All members are expected to abide by the Department's Constitution and By-Laws, Policies, Standard Operating Guidelines and the Fire District policies and directives. Disciplinary action may be taken for neglect of duty and/or improper conduct.

Types of Disciplinary Actions:

- a. Counseling session: Meeting with any of the Chiefs, for the purpose of discussing areas of concern and identifying possible corrective action.
- b. Immediate removal from a specific Department function and/or activity: An Officer may dismiss a member from participating in any Department function and/or activity, for improper conduct or to insure the health and safety of all Department members.

- c. Suspension: The Chief may suspend an individual for neglect of duty, improper conduct, failure to comply with department Policies and Standard Operating Guidelines. Suspensions must be in writing and include duration of suspension, specific reasons and any conditions for return to active duty. The Chief must report any suspension to the Board of Fire Commissioners at their next scheduled meeting. (NYS Town code: S176-a)
- d. Probation: Any Active Member may be placed on Probation for cause by majority vote of the Department. Members already on Probation would, in this circumstance, be automatically dismissed.
- e. Dismissal: Any member deemed guilty of any conduct reflecting to the discredit of the Department, or not carrying out his or her duties to the satisfaction of the By-Laws of the Department, may be dismissed from the Department upon a two-thirds (2/3) written vote of the members at any scheduled or special meeting where a quorum is present.

ARTICLE 9: Drills and Meetings

Section 1: Scheduled Drills and Meetings

It shall be the duty of each member to attend all regularly scheduled weekend drills and meetings, a calendar of which will be sent to all members by March of each calendar year. Any drill scheduled before April, or after October, may be used to calculate the percentage of drills required to remain in good standing.

Section 2: Meetings

- a. The Annual Spring Meeting of the Department shall be held on the first Saturday of May of each year.
- b. The Annual Fall Meeting of the Department shall be held on the second Saturday of September of each year.
- c. The time of each Annual Spring and Annual Fall meeting shall be set by the Department Officers and shall be included in a calendar of scheduled drills and meetings sent to each member by March of each calendar year.
- d. When the date specified herein for the Annual Fall Meeting or the Annual Spring Meeting falls upon a National or Religious Holiday, the Chief, in consultation with the other Officers, shall choose another date within two weeks of the originally mandated date, subject to all other requirements including notice contained in these By-Laws.

Section 3: Special Meetings

Special meetings may be convened by the Chief, or in the absence of the Chief, the senior officer, or by a written request from at least four (4) or more Active Members to the Chief or Senior Officer for the purpose of taking action on any matter. Notice of any special meeting and its purpose must be sent by first class mail, electronic mail, or facsimile to each member at least seven (7) days beforehand, and no meeting shall be scheduled for later than 9:00p.m.

Section 4: Quorum

At any meeting, forty percent (40%) of the Active Members shall constitute a quorum. Any meeting called for the purpose of conducting business binding on the Department or on any member of the Department must have a quorum present.

Section 5: Governance of Meetings

The rules contained in “Robert’s Rules of Order” shall govern all meetings in all cases to which they are applicable and in which they are not inconsistent with these By-Laws.

ARTICLE 10: By-Laws Amendments

These By-Laws may be amended upon a two-thirds (2/3) vote at any regularly scheduled or special meeting where a quorum is present, provided that the proposed amendment(s) shall have been presented to the members at any scheduled or annual meeting, or sent by first-class mail, electronic mail, or facsimile to every member, at least seven (7) days beforehand.

All amendments voted to these By-Laws shall be submitted by the Chief to, and subject to final approval of, the Board of Fire Commissioners.