

WESTVILLE FIRE DEPARTMENT

CONSTITUTION

AND

BY - LAWS

INCORPORATED JANUARY 1, 1989

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**THIS CONSTITUTION AND BY-LAWS OF THE WESTVILLE FIRE DEPARTMENT WAS REPRINTED WITH ALL OF THE CHANGES AND AMENDMENTS AS VOTED UPON AND APPROVED AS OF MAY 7, 2009.**

**CONSTITUTION  
OF THE  
WESTVILLE FIRE DEPARTMENT**

**ARTICLE I**

**SECTION 1 - Introduction**

This association shall be known as Westville Fire Department Inc. of Westville, New Jersey.

(A) The Charter Members of the Westville Fire Department shall retain the same rights and privileges that they had as members of the former Independent and Union Fire Companies of the Borough of Westville.

(B) All nouns and pronouns in the masculine gender utilized in this Constitution and By-Laws shall be construed to include the female gender.

**SECTION 2**

The mission of the Westville Fire Department is to provide a professional level of community fire protection, emergency medical and rescue services to the citizens and property owners within the Borough of Westville, in order to prevent or minimize the loss of life, pain and suffering and property damage as a result of fire or other type of emergency.

The Fire Department's mission will be accomplished by the effective use of its volunteer, career, and physical resources, in cooperation with other public agencies, utilizing state-of-the-art equipment, innovative techniques, and available technology to provide a high level of cost efficient, quality services.

**SECTION 3**

Membership shall be unlimited until the majority votes of the members present decide at a regular meeting to close the membership.

**ARTICLE II**

**SECTION 1 - Officers**

(A) The officers of the Department shall consist of a President, Vice President, Recording Secretary, Treasurer, Fire Chief, Assistant Chief, five (5) Trustees and a Sergeant-at-Arms.

(B) Any member nominated to an elected office must have been a member in good standing at least two (2) continuous years prior to nomination, excepting Trustees.

(C) Trustees must be a member in good standing for three (3) continuous years prior to nomination.

(D) All line officers must meet the N.J. division of fire safety guidelines for fire officers, and must have Extrication and Ladder company operations to be eligible for any line officer position.

(E) Suspensions, of any length in time, shall constitute a break in service for purposes of office eligibility

**SECTION 2**

(A) All nominations for officers (Refer to: Article II, Section 1, Paragraph A) shall be made from the floor at the October business meeting. Nominations shall be reopened at the November business meeting.

(B) All nominations will be finalized at the November business meeting.

(C) The voting will take place at the December business meeting. Candidates shall be voted on and installation shall be made at the January business meeting.

(1) In order to be eligible to vote for the candidates nominated for office and to be voted upon at the December meeting, members shall meet the below requirements for meeting attendance. These meetings must be attended between the months of December of the proceeding year and November of the year that the election is being held in.

LIFE MEMBERS	(NOT HOLDING AN ELECTED OFFICE)	3 Meetings
LIFE MEMBERS	(HOLDING AN ELECTED OFFICE)	6 Meetings
LIFE MEMBERS	(CHARTERED 7 YEARS STATE EXEMPT) Defined as: Members of the previous Union and Independent Fire Companies, who during their membership with said companies, completed their 7 year percentage requirement, granting them Exempt status with the New Jersey Fireman's Relief and Exempt Association	6 Meetings
JUNIOR MEMBERS		Not Eligible
ALL OTHER MEMBERS		6 Meetings

(D) A list of members voting eligibility shall be posted one week prior to the December business meeting All appeals will be heard by the executive board at 7:00pm on the night of the December business meeting.

**SECTION 3**

(A) The election of officers shall be by written or printed ballot. The judge and two tellers of the election shall be appointed by the President the night of the election with the approval of the members present. The candidates receiving the highest number of votes shall be declared elected, and serve for the period of two (2) years. Trustees are not included. The same officers can be nominated to succeed themselves, but must adhere to the rules governing nominations and elections. Recording Secretary is to keep all ballots until the next meeting, at which time they will be destroyed. In the event of a tie, the President shall announce the vote to be a tie, and shall verbally cast his vote to break said tie.

(B) The Board of Trustees shall be composed of five (5) members; no member is to be considered for the position of Trustee unless they have been a member in good standing of the Department for at least three (3) years. The term of office is to be three (3) years.

**ARTICLE III**

## **SECTION 1 - APPLICATION FOR MEMBERSHIP**

(A) The membership of this Department shall consist of Senior, Junior, Associate (18 & Older), Probationary, Life and Honorary, and defined as:

(1) Senior - Any member, who is at least 18 years of age, and is an actively engaged as a member participating in the act of fire suppression and/or EMS, and who meets the percentage participation requirements as outlined by the Westville Fire Department and Westville Fire District

(2) Junior - Any member who is under 18 years of age, but at least 14 years of age, who participates in fire support activities, and who meets the percentage participation requirements as outlined by the Westville Fire Department and Westville Fire District

(3) Associate - Any member, who is at least 18 years of age, and who does NOT actively participate in the act of fire suppression and/or EMS and who meets the percentage participation requirements as outlined by the Westville Fire Department

(4) Probationary - Any Senior member who has less than one year of membership with the Westville Fire Department, and who meets the percentage participation requirements as outlined by the Westville Fire Department and Westville Fire District

(5) Life - Any member, who has attained 20 years of membership with the Westville Fire Department or in the case of a member who was an exempt member of the New Jersey State Fireman's Relief and Exempt Association at the time of the incorporation of the Westville Fire Department

(6) Honorary - Any person, who is made a member, due to their actions in/for the membership of the Westville Fire Department. An Honorary member shall have no vote, but shall have all other rights/privileges of Life Members

(B) Any person of good character, 18 years of age or older, who is a citizen of our country, and who shall not be or has not been a member of any organization classed by the United States Government as a subversive or communist organization and who shall be of good moral character and who shall have no police record shall be eligible for senior membership in this Department. Applicants desiring membership shall present themselves to the Membership Committee at a time designated by the Membership Committee for a personal interview. Applications must be made on forms furnished by the Membership Committee and the New Jersey State Firemen's Relief Association. If the applicant is rejected, the application shall not be proposed for a period of one (1) year.

(C) Successful applicants will be required to obtain a Fire Department physical, a location designated by the Westville Fire District - Board of Fire Commissioners, of which will be paid for by the Fire District, after one year

(D) If an applicant has been a member or is an exempt fire fighter in another volunteer Fire Department in the State of New Jersey, and desires to continue this status by becoming a member of the Westville Fire Department Inc., then the following procedure shall prevail.

- (1) The applicant shall provide a letter from their previous department with information, background and training.
- (2) The Membership Committee shall recommend to the membership their acceptance.
- (3) The applicant shall meet all other requirements of the forgoing paragraph.

(E) Eligibility for junior members shall be the same as a senior member excepting that they shall be between the ages of 14 and 18 and must be a resident of the Borough of Westville. Junior members shall have no vote of any matter until becoming a Senior Member. A Senior or Life member's children, shall be exempt from the resident eligibility requirement.

(F) Upon acceptance to membership, a new member shall serve one (1) year probationary period. A new member shall not be eligible to vote for any elected position until they have successfully completed the probationary period.

## **ARTICLE IV**

### **SECTION 1 - MEETINGS**

(A) All meetings, regular or special, shall be held in the Fire House or as designated by the Trustees.

(B) There shall be a regular meeting of the Department held on the first Thursday of each month. If a holiday falls on this date, the regular meeting will be held the following Thursday.

(C) A special meeting can only be called by the President. However, in the event of an emergency and the President should be away for an extended period of time, or incapacitated, the Vice President shall then be empowered to call a special meeting of the general membership to act on such emergency only.

(D) Seven (7) members shall constitute a quorum at any regular or special meeting.

(E) All special meetings must be posted at least forty-eight (48) hours previous to the meeting.

## **ARTICLE V**

### **SECTION 1 - DUTIES OF THE TRUSTEES**

(A) The five (5) Trustees shall be the Governors of the Fire Department. They shall have a chairman and secretary. They will hold meetings as required.

(B) They must give a full report to the membership at the regular meeting. Their report is to be incorporated into the minutes of the regular business meeting for that month..

### **SECTION 2**

(A) The Trustees are to keep harmony in the Department and answer to the membership for their actions. The Department shall be a smoothly operating one, with good fellowship as one of its goals.

### **SECTION 3**

(A) The Trustees shall have the custody of all property of the Department. They shall be the holders of all legal titles of real estate and also the holders of all insurance policies.

(B) All legal documents, papers and insurance policies shall be kept in the Department's safe.

(C) The Trustees shall provide light, heat and be present at all regular or special meetings, health and business permitting. They shall have full charge of the rental of the ~~hall~~ or buildings, abiding by the rules in effect. If equipment is borrowed from the Department, they shall be responsible for its condition when returned. No equipment is to leave the building unless a Trustee is present, and a Trustee must be present when said equipment is returned.

(D) The Trustees shall be responsible for the condition of the building inside and out, notifying the proper committees to attend to the work for which they are responsible, especially the maintenance committee chairperson.

(E) The Board of Trustees shall provide and maintain at all times a Blanket Bond covering all members of the Department who have access to or handle Department funds.

(F) The Trustees shall attend all Executive meetings, when needed, health and business permitting.

(G) The Trustees shall negotiate lease agreements with the Fire District as required.

(H) All major purchases exceeding \$1,000.00 must receive approval from the trustees prior to presentation to the membership

#### **SECTION 4**

(A) Trustees are to be selected for office with attention paid to their ability, sincerity and intelligence. They should be a person who is use to meeting the public and have enough knowledge to be able to handle any problem that could arise in this organization.

### **ARTICLE VI**

#### **SECTION 1 - DUTIES OF THE PRESIDENT**

(A) The President shall preside at all meetings, health and businesses permitting, maintain order, and regulate debate. The President should understand something about Parliamentary Law, and at all meetings, have a copy of Parliamentary Law at their disposal. The President can only cast one (1) vote where there is equal opinion, otherwise has no vote.

(B) The President shall decide all points of order and when a member is out of order and takes whatever steps necessary to restore order. Shall not be permitted to make a motion unless the chair is vacated. The President can entertain a motion, but must govern himself/herself according to the law.

(C) The President appoints all committees, including the chairperson usually the first named member and should not appoint anyone who will not be an active member of the committee. Committees shall function for one (1) year only.

(D) In case of the vacancy of an elected officer, the President will appoint another member to fill out the term of office for the balance of the year or until the next regular election. The member appointed to fill the vacancy shall meet the same requirements had they been nominated for that office.

(E) The President is responsible for the conduct and activity of the committees at all times. If any member of a committee does not give a satisfactory performance, the President can remove them from the committee and appoint another person to take that place.

(F) The President must see that the committee chairperson abides by the decision of the committee reporting the wishes of the committee even though it may be contrary to his/her decisions.



(G) The President shall see that at least three (3) bids are received and given by separate contractors for any contract involving the sum of one thousand dollars (\$1000.00) or more before said contract can be signed.

(H) At all times the President must consider the general welfare of the complete membership and not any individual.

(I) The President shall cosign all vouchers for disbursement of money by the Treasurer, and will cosign with the Treasurer, all of the Department's bank checks for the disbursement of money, as soon as possible after each month.

(J) The President shall appoint any member, in the absence of an officer at any meeting, to carry out the absent officer's duty.

(K) The President shall attend all Trustee meetings.

(L) The President shall preside at all Executive meetings, when needed, health and business permitting.

## **ARTICLE VII**

### **SECTION 1 - DUTIES OF THE VICE PRESIDENT**

(A) It shall be the duty of the Vice President, in the absence of the President, to preside at all meetings. The Vice President shall assist the President in maintaining order and at all times work in unison together.

(B) The Vice President shall preside whenever the President vacates the chair to make a motion on the floor.

(C) He shall attend all Executive meetings, when needed, health and business permitting.

## **ARTICLE VIII**

### **SECTION 1 - DUTIES OF THE CHIEF**

(A) The Chief shall be in full charge of all fires. Directing all personnel that attend a fire, placing the personnel to the best of the Chief's knowledge, for the most efficient fire fighting and rescue operation. The Chief shall be responsible for the conduct of all personnel at all times.

(B) The Chief will assume full charge of all Fire District equipment at all times.

(C) The Chief shall record each member's name that was present and see that each person receives credit for attendance after sign in.

(D) The Chief shall make a monthly report to the Fire Department and Fire Commission of the alarms and drills and the personnel attending. Shall make any emergency repairs necessary, all major repairs must be brought before the Fire Commission. Shall insist that the equipment be kept in good condition at all times and assign respective jobs to the personnel.

(E) The Chief shall insist that all active personnel keep up their percentage at all times and see that fire drills are regularly attended.

(F) The Chief shall abide by the rules and regulations of the State and County, and policies of the Fire Commission, whenever possible, seeing that the active personnel can, at any time, pass a physical examination as required by Fire Commission policy.

(G) The Chief shall keep the Department membership up to date on the newest method of combating fire, rescue, saving life and protecting property.

(H) The Chief shall attend all Executive meetings, when needed, health and business permitting.

## **ARTICLE IX**

### **SECTION 1 - DUTIES OF THE ASSISTANT CHIEF**

(A) The Assistant Chief shall assume all responsibilities and duties of the Chief in his absence.

(B) The Assistant Chief shall attend all Executive meetings, when needed, health and business permitting.

### **SECTION 2 - DUTIES OF THE CAPTAINS AND LIEUTENANTS**

(A) The duties of these officers will be assigned by the Chief Officers.

## ARTICLE X

### SECTION 1 -DUTIES OF THE RECORDING SECRETARY

(A) It shall be the duty of the Recording Secretary to keep a record of the Department's proceedings at all meetings, via tape and on paper to notify all officers of their election and all committees of their appointments.

(B) The Recording Secretary shall be present at all meetings of the Department, or if unable to attend shall see that all necessary papers and books are present at the meetings.

(C) The Recording Secretary shall keep a roll of the membership and call the same at every meeting, reading the members present and noting the absentees

(D) The Recording Secretary shall keep a current roll of the membership, retaining a record of the deceased, suspended, in bad standing with no vote. There shall be a duplicate list kept in the Department files.

### SECTION 2

(A) The Recording Secretary shall post notices of a "Special Meeting" to the membership at least forty-eight (48) hours in advance.

### SECTION 3

(A) The Recording Secretary shall keep a book for the purpose of recording any resolutions or amendments to the Constitution and By-Laws on hand at the meetings.

### SECTION 4

(A) The Recording Secretary shall not loan any books or documents belonging to the Department without the consent of the President or Trustees.

### SECTION 5

(A) The Recording Secretary shall draw and sign all purchase requisitions of the Treasurer.

### SECTION 6

(A) On the expiration of the Recording Secretary's term of office, shall turn over to the successor all papers, books, documents and all other properties entrusted to the Recording Secretary by the Department.

(B) The Recording Secretary shall attend all Executive meetings, when needed, health and business permitting.

## ARTICLE XI

### SECTION 1 - DUTIES OF THE TREASURER

(A) The Treasurer shall hold in trust all moneys of the Department. Shall deposit all moneys received promptly in a designated depository and keep an accurate record of the same. Shall pay all bills and obligations upon receipt of purchase requisition properly drawn, signed by the President and Recording Secretary, and approved for payment by the membership.

(B) The Treasurer shall hold in trust all records pertaining to his office and deliver the same, in good order, when requested by the President.

(C) The Treasurer shall be properly bonded to the amount seen fit by the membership.

(D) All checks drawn on Department funds for payment of bills shall contain two (2) signatures being that of the Treasurer, President, Vice President or the chairman of the trustees.

(E) The Treasurer shall keep all accounts recorded. And in such condition that the funds in his possession may be ascertained at any time.

(F) The Treasurer shall attend all Executive meetings, when needed, health and business permitting.

(G) The Treasurer shall have all financial documents of the previous year in order and ready no later than January 31<sup>st</sup> of the current year for submission to the Department's authorized accounting firm.

(H) Upon the completion of the audit, and receipt of the audit from the authorized accounting firm, the completed audit shall be turned over to the Trustees to maintain the files in the Department safe.

**ARTICLE XII**

**(Open Article)**

**ARTICLE XIII**

(Open Article)

## ARTICLE XIV

### SECTION 1 - DUTIES OF THE SERGEANT-AT-ARMS

(A) The Sergeant at Arms shall, at all times, maintain order in the meeting, removing anyone from the meeting when requested by the President to do so.

(B) The Sergeant at Arms can call upon the membership at any time for help if it becomes necessary to remove anyone from the meeting.

(C) The Sergeant at Arms shall be responsible for the displaying of the Flag at all meetings and all legal holidays, including Election Day.

(D) The Sergeant at Arms shall attend all Executive meetings, when needed, health and business permitting.

(E) Shall ensure the meeting room is set up for all meetings and activities

(F) At the passing of a member the Sergeant at Arms under the direction of the President is responsible for lowering the American flag to half mast and setting up the deceased members date of birth (mm/dd/yy) and the date of their passing (mm/dd/yy) as well as the members years of service as supplied by the Recording Secretary.

(G) The Sergeant At Arms shall maintain a copy of the Department Constitution and By-Laws at each Department meeting so as to confer with the President on any points of order of Parliamentary Procedure

## **ARTICLE XV**

### **SECTION 1 - BY LAWS**

(A) By Laws not in conflict with this Constitution can be adopted by a vote of 2/3 rds of the members present at a regular meetings of the Department after the change has been read at two (2) previous meetings.

(B) A roll call vote must be called and the members voting so noted.

(C) Where a paragraph of this Constitution or By-Laws is found to be in conflict with another section, then the most stringent or severe shall prevail. Should there be any question as to which shall prevail, the Board of Trustees shall decide.

## **ARTICLE XVI**

### **SECTION 1 - AMENDMENTS**

(A) Amendments to this Constitution shall be given in writing to the By-Laws Committee to present to the Department at a regular meeting. The Amendment must be read at two (2) previous meetings and a 2/3 rds vote of the membership present at the third reading will be necessary for passage.

(B) A roll call vote must be called and the members voting so noted.

(C) A copy of the amendment must be posted by the Recording Secretary on the bulletin board following the first reading.

(D) An amendment, when adopted, must be printed and given to each member to insert into his/her copy of "Constitution and By-Laws."



## ARTICLE XVII

### SECTION 1 - ARTICLES OF AMENDMENT TO COMPLY WITH SECTION 501 (C) (3) OF THE INTERNAL REVENUE CODE.

(A) THIRD - The Westville Fire Department, Inc. is organized exclusively for charitable, educational and scientific purposes, including for such purposes, the making of distributions to organizations under Section 501 (C) (3) of the Internal Revenue code (or the corresponding section of any future Federal tax code).

(B) FIFTH - No part of the net earnings of the Corporation shall ensure to the benefits of, or be distributable to its members, trustees, directors, officers or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of Section 501 (C) (3) purposes. No substantial part of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of, or in opposition to, any candidate for public office.

(C) Notwithstanding any other provisions of these articles, the Corporation shall not carry on any other activities not permitted to be carried on (A) by a Corporation exempt from Federal income tax under Section 501 (C) (3) of the Internal Revenue Code (or corresponding section of any future Federal tax code) or (B) by a Corporation, contributions to which are deductible under Section 170 (C) (2) of the Internal Revenue Cods (or corresponding section of any future Federal tax code).

(D) SIXTH - Upon the dissolution of this Corporation assets shall be distributed for one or more exempt purposes within the meaning of Section 501 (C) (3) of the Internal Revenue Cods, or corresponding section of any future Federal tax code, or shall be distributed to the Federal government, to a State or Local government, for a public propose.

(E) SEVENTH - However, if the named recipient is not then in existence or no longer a qualified distribute, or unwilling or unable to accept the distribution, then the assets of this Corporation shall be distributed to a fund, foundation or corporation organized and operated exclusively for the purposes specified in Section 501 (C) (3) of the Internal Revenue Code (or corresponding section of any future Federal tax code).

## ARTICLE XVIII

### SECTION 1 - PROPOSED AMENDMENTS

(A) Once a change has been proposed to the Constitution of this Department, the same change may not be proposed again for twelve (12) months after the final reading.

**BY - LAWS  
OF THE  
WESTVILLE FIRE DEPARTMENT**

**ARTICLE I**

**SECTION 1 - MEMBERS RESIGNING OR BEING DROPPED FROM MEMBERSHIP**

(A) All charges (excepting harassment) against any member must be in writing, signed and presented to the President, who will turn the charges over to the Membership Committee to investigate said complaint and then make a recommendation to the membership.

(B) No resignation of a member can be accepted when charges are pending.

(C) A member upon termination of membership from the Department shall return all key fobs and property belonging to the Department and the Fire Commission.

(D) Trustees and/or Chief shall be responsible for picking up the same.

**ARTICLE II**

**SECTION 1 - MEMBERS**

(A) There shall be no distinction between active, exempt, senior and life members in any activities of the Department.

(B) Senior members (as called by the State) on serving seven (7) years on active fire duty and meeting the requirements as established by this State and this membership shall become an exempt firefighter of the New Jersey State Fireman's Relief and Exempt Association.

(C) Any member(except Associate) can attend any fire, fire drill or parade that they wish to and shall be taught anything about the apparatus or equipment, unless under disciplinary action, and at the discretion of the Chief.

(D) Active members must attend 60% of all activities of the Department before becoming an exempt member.

(E) If the member's percentage is not kept up to the requirement, health and business permitting, they shall be dropped from the active list.

(F) Any Senior member reaching the age of sixty (60) or older and being a member of this organization for the last ten (10) years; or any Senior member serving twenty (20) years, shall be considered a Life Member. The time members are classified "not in good standing" will not count for their twenty (20) years for life membership. The member shall receive full benefit from said organization and have a vote upon the floor at any meeting if they attend three (3) business meetings between the months of December of the proceeding year and November of the year that the election is being held in.

(G) Any member who enters the Armed Service while in good standing shall continue to be a member in good standing until honorably discharged. After discharge or separation, other than dishonorable, the member shall notify the Recording Secretary of the Fire Department in writing within thirty (30) days stating the exact place and date of discharge or separation.

(H) In order to maintain membership in good standing, members shall attend at least six (6) official meetings in that year, and participate in non fire/ems related activities in which the Fire Department may have in that year, with percentages to be determined by the Executive Board, exempting twenty (20) year life members.

(I) All life members holding an elected or appointed office must meet the same requirements of all non-life members.

(J) Members unable to attend meetings, at the time of roll call shall submit their reasons in writing to the President and copies will be forwarded to the Recording Secretary.

- (1) Members must submit their letters within thirty (30) days of the situation causing them not to attend meetings on time. These letters must be received by the Department no later than the next regular meeting following the thirty (30) days.
- (2) Those members that are declared inactive by the Executive board shall not be entitled to any benefits or right to vote during said year from the Westville Fire Department.
- (3) Members earn their eligibility for any benefits from the Westville Fire Department by their participation in and support of the various functions and activities held during the year. (December 1 thru November 30)  
The Executive board shall determine eligibility based on participation in and support of all non fire/ems related activities of the Westville Fire Department. The performance by a member of any other task for the benefit of the Westville Fire Department will also be taken into consideration.

(K) No member of a mutual aid department of Westville, with its borders touching the borders of Westville, shall be granted membership to the Westville Fire Department

(L) Any member with signed criminal charges of any type shall be suspended until a court hearing is completed or the charges are dropped. If a member is found guilty of a crime, the person must meet with the Executive Board to discuss the matter, and if their membership shall still be granted or said member shall be dismissed.

(M) Any Associate member may apply to be a Senior member, by completing the form supplied by the New Jersey State Fireman's Relief and Exempt Association, and submitting it to the Chief. The Chief will process the application with the Westville Fire District and forward the form to the Westville Fire Department Relief Secretary.

(N) Any member, who is suspended, will have the time of his suspension added to the required years of service to qualify for life membership. *For example, if a member is suspended for 6 months, those six months do not count towards life membership. The member would be required to serve the added time after the end of the 20 year period, in this example, the member would be required to serve 20 years AND 6 additional months to qualify for life membership.*

## ARTICLE III

### SECTION 1 – Funeral Policy

(A) Upon the death of a member, the family of the deceased shall be offered the services outlined in the document entitled “Gloucester County Fire Chief’s Association Bereavement and Funeral Committee Serious Injury and Line of Duty Death Guidelines”

## ARTICLE IV

### SECTION 1 - GENERAL

- (A) There may be a Chaplain appointed by the President, if available
- (B) Upon the death of a member, the Chaplain may, with a representative body of the membership, attend the viewing and give a short prayer over the departed member.
- (C) Upon the death of a member, or member’s spouse, parents or children, flowers will be sent.

## ARTICLE V

### SECTION 1 - ORDER OF BUSINESS

- (A) Salute to the flag
- (B) Reading of the minutes of the previous meeting (s)
- (C) Communications
- (D) Introduction of new members
- (E) Roll call
- (F) Trustees report
- (G) Executive committee’s report
- (H) Nominations of Officers (October and November)
- (I) Report of special committees
- (J) Report of standing committees
- (K) Chief’s report
- “Recess”
- (L) Reading of the bills
- (M) Payment of the bills
- (N) Unfinished business
- (O) New business
- (P) Suggestions for the Good and Welfare of the Department
- (Q) Treasurer’s report
- (R) Adjournment

## ARTICLE VI

### SECTION 1 - PARADES

- (A) All parades must be approved by the Fire District.
- (B) The uniform must be worn at all parades or other events designated by the Chief
- (C) All rules and regulations of the Department shall be in effect at all of these functions.
- (D) Any member engaging in conduct unbecoming a firefighter, prior to or during the parade may be dismissed at the discretion of officers in charge.

### SECTION 2

#### “CLASS A” CONVENTION UNIFORM

CHIEF	<ul style="list-style-type: none"><li>• White hat with gold band and flames on brim</li><li>• White shirt</li><li>• 5 gold stripes</li><li>• Gold buttons</li><li>• Gold service cross (s)</li></ul>
ASSISTANT CHIEF	<ul style="list-style-type: none"><li>• White hat with gold band</li><li>• White shirt</li><li>• 4 gold stripes</li><li>• Gold buttons</li><li>• Gold service cross (s)</li></ul>
CAPTAIN	<ul style="list-style-type: none"><li>• White hat with silver band</li><li>• Blue shirt</li><li>• 2 silver stripes</li><li>• Silver buttons</li><li>• Silver service cross (s)</li></ul>
LIEUTENANT	<ul style="list-style-type: none"><li>• Blue hat with silver band</li><li>• Blue shirt</li><li>• 1 silver stripe</li><li>• Silver buttons</li><li>• Silver service cross (s)</li></ul>
FIRE FIGHTER	<ul style="list-style-type: none"><li>• Blue hat with black band</li><li>• Blue shirt</li><li>• Silver buttons</li><li>• Silver service cross (s)</li></ul>
RETIRED CHIEF	<ul style="list-style-type: none"><li>• White hat with gold band</li><li>• White shirt</li><li>• 5 gold stripes</li><li>• Gold buttons</li><li>• Gold service cross (s)</li></ul>
OTHER RETIRED OFFICERS	<ul style="list-style-type: none"><li>• Blue hat with black band</li><li>• Blue shirt</li><li>• Black stripe (s) in place of highest rank achieved</li><li>• Silver buttons</li><li>• Silver service cross (s)</li></ul>

Shoes shall be bates lights, high gloss with black socks. Black Department issued belt. Department issued badge of rank on hat and left breast of jacket. Department patch on left arm of jacket. US flag on right arm of both shirt and jacket.

\* Service cross for every five (5) years of emergency service (including previous years of service), including junior years.

The Executive Committee reserves the right to allow for the purchase and wearing of a "Class A" uniform for an Associate member, based on participation and merit. Said members shall be addressed on a case-by-case basis.

### **"CLASS B" WORK UNIFORM / TRUCK RIDING**

Navy blue "Dickie" style pants with navy blue "Dickie" style long / short sleeve shirt.  
Black shoes or black work style boots with black socks.

SHIRT Official Westville Fire Department patch on left sleeve  
US flag / EMT patch / NJ First Responder patch on right sleeve  
Fire Department badge of rank on left breast  
Embroidered in "red" half inch (1/2") letters first initial and last name on right breast  
Collar emblems of rank

Collar emblems as follows may be obtained from Custom Advertisers Phone # (717) 752-2179 with these titles / ranks only:

TITLE / RANK	ORDER NUMBER
Chief	08-221
Assistant Chief	08-103
Captain	08-214
Lieutenant	08-284
Engineer	08-254B
Fire Fighter - EMT	08-262L
Engine Company	08-252
Ladder Company	08-280B
Safety Officer	08-320C
President	08-311
EMS Captain	08-216
EMS Lieutenant	08-286

This uniform is to be worn at the discretion of the Officer in Charge, depending on each event or function and will be purchased by the individual member with the exception of the Fire Department badge.

## ARTICLE VII

### SECTION 1 - OFFICERS AND COMMITTEES

(A) Any member may be entitled to hold two (2) elected offices, (1) line office and (1) Desk office

(B) Any member, including those who lives outside of the Borough, may be considered for nomination for any elected office with the exception of Chief, Assistant Chief, President and Vice President as long as the proposed member is in good standing at the time of the nominations. To be considered for nomination for the position of Chief, Assistant Chief, President or Vice President you must be a resident of the Borough. If during the term of one of the aforementioned officers the member becomes a non-resident, termination of the office will take place immediately.

(C) If an elected officer of the Department is considered guilty of misconduct or fails to fulfill completely the required duties of his office as set forth in this Constitution and By-Laws, they shall be subject to recall from such office by the following procedure:

- (1) Charges shall be referred by the Executive Committee on the floor at a regular monthly meeting.
- (2) Any officer under consideration for such recall shall receive at least two (2) weeks notification, by certified return receipt mail, which they will be so charged at the next regular meeting of the Department.
- (3) The officer who is being charged shall be permitted to answer for themselves before the membership.
- (4) After hearing the charges and the officer's defense of same, the membership shall vote by ballot on the question of the officer's recall.
- (5) The election shall be conducted by the election committee and the ballot shall be printed as follows: "Shall the officer heard tonight be removed from office". The ballot shall provide two (2) blocks for voting, either YES or NO.
- (6) A simple majority vote of the membership present at the meeting shall be binding.
- (7) If the majority vote is for recall the office shall be considered vacant immediately. The President shall then fill the vacancy within thirty (30) days by appointment and the member so appointed shall serve for the unexpired term.

### SECTION 2 - HEALTH AND SAFETY

(A) The Westville Fire Department Inc. shall support a Safety and Health Program to prevent injury and illness to its members while performing their duties.

(B) JIF - Subject: Accident review committee

1. The accident review committee will consist of the Safety committees that are appointed members from the Westville Fire Department.

2. Any member involved in a motor vehicle crash or and injury involving personnel injuries must comply with the following.

A. At the time of the accident the Chief and or line officers must be notified.

B. If Fire District or Fire Department property is involved must contact Fire Commissioner or Trustee.

C. If Fire District apparatus is involved Police Department must be notified and reported.

D. Person (s) involved in any accident must Contact the department safety committee chairman so proper paperwork will be filled out and sent to Westville Borough Hall and forwarded to the Insurance Company.

E. Person (s) involved in accident must follow Fire District & Department policy of alcohol & drug testing.

3. After all notification and proper paperwork fill out the Department Safety Committee will be notified of the accident and a meeting will be scheduled with the person (s) involved.

4. At the Accident Review Committee meeting the committee will review all the reports and paperwork portaging to the situation.

5. Members involved will attend the meeting for verbal discussion and for plan of action.

6. Plan of action as follows:

- A. Suspension
- B. Suspension of driving Fire District apparatus
- C. Required to attend Safety Classes (Defensive Driving)
- D. Review of person (s) at later date set.

7. The actions of the Accident Review Committee is final and all information will be forward from this department to the Borough of Westville Safety Committee in writing and a copy will be placed in the person (s) personnel file.

(B) The Fire Chief and Safety Officer (s) are accountable for the safety and health of the members and is responsible for providing a safe environment and safe equipment for the members to perform their duties. The Fire Chief is given the authority to ensure safe practices are followed by the members, equipment is maintained and that equipment purchased meets regulatory standards and training is provided for the members to safely perform their duties.

(C) All members are accountable for their own safety, the safety of those they serve and the safety of their fellow fire fighters. All members are responsible for performing their duties in a safe manner and to report unsafe conditions when the exist they are also responsible for attending the training offered to ensure their own safety when carrying out their duty.

(D) A Safety Officer shall be appointed by the Fire Chief to assist in developing, administering and promoting the Safety and Health Program.

(E) A Safety Committee shall be formed to assist promoting the Safety and Health Program. The committee shall include the Safety Officer, one (1) Executive Officer, one (1) Line Officer and two (2) members. The committee shall be made a part of the agenda at the regular monthly meeting.



## ARTICLE VIII

### SECTION 1 - JUNIOR MEMBERS

(A) No Junior Member will be accepted for membership in the Fire Department unless two (2) members of the Membership Committee shall personally interview the parents or guardian of said applicant and receive from them approval in writing.

(B) All Junior Members shall participate in Fire Department activities. (Legitimate excuses accepted).

(C) All Junior Members who fail to participate in Fire and Department activities, which will be figured by the Department and Line Officers, shall be suspended from the Department for a minimum of one (1) month (30 days). For the second offense, he/she will meet with the Executive board with his/her parents or guardian in attendance.

(D) Any member's child shall be accepted without regards to quota if he/she meets the above requirements.

(E) All Junior Members reaching the age of 18 will automatically become Senior Members excepting those with less than two (2) years service as a Junior Member, who shall be recommended by the membership Committee.

(F) No Junior member shall participate in any Department function during hours in which school is in session.

## ARTICLE IX

### SECTION 1 - PENALTIES

(A) The Executive board members can suspend any member on the spot for violations of the Fire Department Constitution and By-Laws and any standing Fire Department regulations. The suspended member may request an immediate interview with the executive board, if the member wishes to appeal their suspension. The decision of the executive board will be final.

(B) Suspensions

(1) Any member under the age of 21 having any offence regarding Drugs, Alcohol or Theft either on Westville Fire Department property or while attending any Fire Department function will have his/her membership automatically terminated and will be asked to turn over all Westville Fire Department and Westville Fire District property immediately.

(2) Any member witnessed serving alcohol to a person under the age of 21 while attending a Westville Fire Department function will have their membership terminated immediately.

(3) Any suspension of a member for whatever reason will serve the following time not taking part in any fire calls or Fire Department and/or EMS activities,

(a) First Offense – Thirty (30) day suspension

(b) Second Offense – Sixty (60) day suspension and he/she must attend a meeting with the Executive board and face the possibility of his/her termination of membership with the Westville Fire Department.

(c) Third Offense – Ninety (90) day suspension and he/she must attend a meeting with the Executive Board and face the possibility of his/her termination of membership with the Westville Fire Department.

(4) An appeal may be heard on any of these violations within seven (7) days of the receipt of the member's letter of notification.

## **ARTICLE XI**

### **SECTION 1 - PROPOSED AMENDMENTS**

Once a change has been proposed to the By-Laws of this Department, the same change may not be proposed again for twelve (12) months after the final reading.

